

FIFTY-EIGHTH DAY.

(Continued.)

Senate Chamber,
Austin, Texas,
May 8, 1935.

The Senate met at 10 o'clock a. m., pursuant to recess, and was called to order by Lieutenant Governor Walter F. Woodul.

S. C. R. No. 58.

Senator Hornsby received unanimous consent to suspend the regular order and sent up the following resolution:

Whereas, Governor James V. Allred, in his excellent patriotic message submitted on yesterday, approving the Texas Centennial appropriation bill, directed special attention to the fact that an imperative public necessity exists at this time which demands that certain things should be done; and the Governor wisely suggested a course that could be followed and all of the trials, tribulations and troubles of extra sessions avoided and the taxpayers of Texas saved a very heavy expense; and

Whereas, The Governor in his said message clearly and forcefully expressed a sincere solicitude for the financial integrity, honor and good name of our great State, and made a touching appeal to the members of the Forty-fourth Legislature to stay on the job and do the things that should be done in order to prevent imperial Texas being made a "hot check" artist; and

Whereas, The issue is squarely up to us and we should meet it in such a manner as to prove to the people of Texas that we are faithful and conscientious public servants who will not in this crisis shirk our duty, dodge the issue or attempt to evade the responsibilities that are ours; therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That the concurrent resolution heretofore adopted fixing Saturday, May 11th, as the time for final adjournment be, and the same is hereby reconsidered, recalled and rescinded, and that the date for final adjournment of the Regular Session of the Forty-fourth Legislature is hereby fixed for Friday, May 31st, A. D. 1935, at 12 o'clock noon.

HORNSBY.

Read and referred to the Committee on Finance.

Messages From the House.

The Chair recognized the Doorkeeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives,
Austin, Texas, May 8, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolution:

H. C. R. No. 140, Granting permission to Herbert McLennan to sue the State of Texas for personal injuries.

The House has concurred in Senate amendments to H. B. No. 996 by a vote of 117 yeas, 0 nays.

S. B. No. 143, A bill to be entitled "An Act prohibiting any owner or person having control of any horse, mule, donkey, cow, bull, steer, hog, sheep, goat or any other livestock from permitting or allowing the same to traverse or roam at large upon the right of way of any designated State highway of this State, where same is enclosed by fences, unattended, providing a penalty and declaring an emergency."

(With amendments.)

The House has concurred in Senate amendments to H. B. No. 866 by a vote of 109 yeas, 0 nays.

The House has concurred in Senate amendments to H. C. R. No. 118 by a viva voce vote.

H. B. No. 187, A bill to be entitled "An Act to provide for creating Firemen's Relief and Pension Fund in the State of Texas and in all incorporated cities and towns thereof, having a regularly organized fire department with fire fighting equipment or apparatus of the value of one hundred dollars (\$100) or more therein; levying and assessing a designated tax of 2.6 per centum of all gross insurance premium receipts, less return premiums paid policy holders, collected or received from all fire and other kinds of insurance, except life insurance, and appropriating the proceeds of such tax to such Firemen's Relief and Pension Fund, etc., and declaring an emergency."

The House has concurred in Senate amendments to H. B. No. 522 by a vote of 113 yeas, 3 nays.

S. B. No. 402, A bill to be entitled "An Act to authorize the Board of Directors of the Agricultural and

Mechanical College of Texas to establish and maintain a horticultural and agricultural experiment station at some point within the limits of Brown, Callahan, Comanche or Eastland counties in the State of Texas for the purpose of making scientific investigations and experiments in the production of fruits, berries, grapes, nuts, vegetables and farm crops and for the fertilization and conservation of soils in the West Texas cross timber sandy land area and for conducting scientific experiments in poultry raising, dairying and bee culture, authorizing said board of directors to acquire a suitable site therefor, and to accept donations of land and money for said purpose, providing that such experiment station shall be under the general supervision of said board of directors and providing that unless donations of land within said territory with available water for irrigation purposes thereon suitable and sufficient for experiment station are made for said purposes, said experiment station shall not be established."

(With amendments.)

S. B. No. 509, A bill to be entitled "An Act to amend Article 8197b, Chapter 8, Title 128, of the Revised Civil Statutes of the State of Texas, as amended by Acts of the Forty-first Legislature, Fourth Called Session, page 71, Chapter 34, relating to the issuance of refunding bonds by any district that may have availed itself of the provisions of Article 8195 and become a Conservation and Reclamation District, and repealing all laws in conflict therewith, and declaring an emergency."

S. B. No. 153, A bill to be entitled "An Act relating to checks or drafts returned unpaid when given the tax collectors or the assessors and collectors of taxes in payment of the registration license fees and number plates on any motor vehicle, truck, tractor, trailer, motorcycle or motorcycle side car; prescribing the duties of the tax collector or assessor and collector of taxes under such circumstances; requiring the sheriff or other officers mentioned to demand redemption of such check or draft from the maker thereof; providing in the event of non-redemption the sheriff or other officer shall be authorized to seize and remove from such motor vehicle, truck, trac-

tor, trailer, motorcycle or motorcycle side car such license number plates issued to the owner thereof, and prescribing the duties of the sheriff or other officer; providing no extra compensation for officer or officers, and declaring an emergency."

(With amendments.)

S. C. R. No. 55, Authorizing the Enrolling Clerk of the Senate to make certain corrections in S. B. No. 52.

H. C. R. No. 151, Authorizing the Enrolling Clerk of the House to make certain corrections in the captions of H. B. No. 408.

S. B. No. 493, A bill to be entitled "An Act amending Article 6954, Chapter 6, Title 121 of the Revised Civil Statutes of Texas, 1925, as amended in Chapter 245 of the Acts of the Regular Session of the Fortieth Legislature of Texas as amended in Chapter 5, of the Acts of the Regular Session of the Forty-first Legislature of Texas, and as further amended in Chapter 71 of the Acts of the First Called Session of the Forty-first Legislature of Texas, the latter being H. B. No. 120, passed by the First Called Session of the Forty-first Legislature, and further amended in Chapter 8, of the Acts of the Third Called Session of the Forty-first Legislature, S. B. No. 22, and further amended in Chapter 313 of the Acts of the Regular Session of the Forty-second Legislature, and as further amended by Chapter 9 of the Acts of the Third Called Session of the Forty-second Legislature, and as further amended by Chapter 48, of the Acts of the Regular Session of the Forty-third Legislature, with reference to the mode of preventing horses and certain other animals from running at large in the counties named so as to include in said Article the County of Kent; and declaring an emergency."

H. C. R. No. 152, Requesting that a new Conference Committee be appointed to consider further the differences between the two Houses on H. B. No. 257.

S. B. No. 499, A bill to be entitled "An Act granting permission to the International-Great Northern Railroad Company, Chicago Burlington and Quincy Railroad Company and any other railroad company or carrier interested in a shipment of a car load of steel wheels, with and

without rubber tires and also, extra weight steel and iron shipped by the Highway Department of the State of Texas which is also the State Highway Commission of the State of Texas, over said railroads to Davenport, State of Iowa, consigned to French & Hecht, on or about March 22nd., 1932, which shipment was refused acceptance by consignee and payment of freight charges and demurrage remain unpaid by consignor, to bring suit against the State of Texas and the State Highway Commission of Texas in any court of competent jurisdiction in Travis County, Texas, to ascertain the amount, if any, due any and all railroads for freight and demurrage charges on said car load of wheels and steel, refused by the consignee, amounting to the sum of \$871.00, and providing that this Act is not intended to create a cause of action but to provide a remedy; that said suit shall be tried according to law and equity; that said suit shall be governed by the law and procedure as if same was a suit between citizens; providing for service on the State and the Highway Commission and how any judgment shall be paid and declaring an emergency."

S. B. No. 290, A bill to be entitled "An Act requiring fee officers collecting fees in criminal cases to give official receipts for all moneys collected in official capacities; providing the manner and method of handling same; providing a penalty for failure to comply herewith, and declaring an emergency."

(With amendments.)

S. B. No. 523, A bill to be entitled "An Act to amend Article 2317 of the Revised Civil Statutes of Texas of 1925, as amended by Act of the Forty-third Legislature, approved March 10, 1933, and as by Senate Bill No. 242 passed by the Forty-fourth Legislature, relating to the administration of the private corporations, in receivership and providing for the extension of time of such receiverships; and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, May 7, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: I am directed by the House to inform the Senate that the House has reconsidered the vote by which the Conference Committee report on H. B. No. 257 was adopted. The House requests the Senate for further consideration by the same conferees heretofore appointed.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, May 8, 1935.

Hon. Walter F. Woodul, President
of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolutions:

H. B. No. 914, A bill to be entitled "An Act to create the San Jacinto River Conservation and Reclamation District under the authority of Section 59, of Article XVI, of the Constitution of Texas, and defining the powers and duties of the said district; providing for temporary directors and organization and operation of the district; and the authority and duties of said temporary directors, etc., and declaring an emergency."

S. B. No. 227, A bill to be entitled "An Act creating a State Conservation Board, providing for its duties, fixing the membership thereof; providing for its organization, conferring on it authority to adopt rules and regulations governing its organization and the conduct of its business, providing its authority; conferring on the commissioners' courts of the several counties authority to provide for the construction of improvements on lands, in the nature of farm terraces, dikes, ditches, soil and water conserving dams, and other soil and water conservation and erosion prevention services; and providing for assessing land owners within their respective counties to assist in the construction and maintenance of all such improvements and devices, under rules and regulations to be prescribed by the State Conservation Board; providing for the setting aside of twenty-five (25%) per cent of the net collections made in each county of the motor vehicle license fees to create a fund to carry on such work, providing for the deposit of such collec-

tions in a special fund, and for the withdrawal and expenditure thereof under rules and regulations prescribed by the State Conservation Board; making an appropriation for the State Conservation Board; providing for a saving clause in the event any portion of the bill be held unconstitutional; and declaring an emergency."

(With amendments.)

The House has refused to adopt by a vote of 27 yeas and 81 nays the following resolution:

S. C. R. No. 59, Requesting the suspension of Joint Rules Nos. 23, 24 and 32 for the purpose of considering Senate Bills Nos. 526, 181, 182, 265, 533, 466, 340, 14, 454 and 355.

The House has refused to adopt the following resolution:

S. C. R. No. 54, Requesting the suspension of Joint Rules Nos. 22, 23, 24 and 32, for the purpose of considering S. B. No. 333 and H. B. No. 468.

The House has adopted the following resolution:

S. C. R. No. 60, Suspending Joint Rules Nos. 22, 23, 24 and 32, for the purpose of considering until the final disposition thereof Senate Bills Nos. 526, 181 and 182.

The House has adopted the Conference Committee report on H. B. No. 781 by a viva voce vote.

The House has concurred in Senate amendments to House Bill No. 900 by a vote of 105 yeas, 1 nay.

The House has adopted the Conference Committee report on House Bill No. 680 by a viva voce vote.

The House has adopted the Conference Committee report on House Bill No. 320 by a vote of 109 yeas and 0 nays.

The House has concurred in Senate amendments to House Bill No. 579 by a viva voce vote.

The House has concurred in Senate amendments to House Bill No. 963 by a vote of 109 yeas and 0 nays.

The House has adopted the Conference Committee report on Senate Bill No. 42 by a vote of 77 yeas and 26 nays.

The House has adopted the Conference Committee report on House

Bill No. 581 by a vote of 109 yeas and 3 nays.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Bills Signed.

The Chair, Lieutenant Governor Walter F. Woodul, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

S. B. No. 477. S. B. No. 146.
S. B. No. 501.

Bills Referred.

H. B. No. 187 referred to the Committee on Towns and City Corporations.

H. B. No. 914 referred to the Committee on State Affairs.

House Bill No. 65.

H. B. No. 65 was pending business.

Senator Oneal had the floor on the pending amendment.

H. C. R. No. 143.

The Chair laid before the Senate the following resolution:

By Mr. Howard:

H. C. R. No. 143, Suspending joint rules Nos. 23, 24 and 32 for the House and Senate for the purpose of taking up for consideration until the final disposition of H. B. No. 914.

The Senate rule requiring resolutions to be referred to a Committee was suspended, and H. C. R. No. 143 was taken up and considered at this time by unanimous consent.

H. C. R. No. 143 was adopted by viva voce vote.

Privileged Motions.

Senate Bill No. 153.

Motion to Concur.

Senator Hornsby moved that the Senate do concur in House amendments to S. B. No. 153.

The motion prevailed by the following vote:

Yeas—29.

Beck.	Collie.
Blackert.	Cotten.
Burns.	Davis.

DeBerry.	Poage.
Duggan.	Rawlings.
Hill.	Redditt.
Holbrook.	Sanderford.
Hopkins.	Shivers.
Hornsby.	Small.
Isbell.	Stone.
Martin.	Sulak.
Moore.	Van Zandt.
Neal.	Westerfeld.
Oneal.	Woodruff.
Pace.	

Absent—Excused.

Fellbaum.	Regan.
-----------	--------

Senate Bill No. 402.

Senator Davis moved that the Senate do concur in House amendments to S. B. No. 402.

The motion prevailed by viva voce vote.

Senate Bill No. 143.

Senator Hopkins moved that the Senate do concur in House amendments to S. B. No. 143.

The motion prevailed by the following vote:

Yeas—25.

Beck.	Pace.
Blackert.	Poage.
Collie.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Holbrook.	Sanderford.
Hopkins.	Shivers.
Hornsby.	Small.
Isbell.	Stone.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.
Oneal.	

Nays—3.

Burns.	Hill.
Cotten.	

Absent.

Davis.

Absent—Excused.

Fellbaum.	Sulak.
-----------	--------

House Bill No. 65.

Senator Oneal moved the adoption of the pending amendment.
Motion pending.

Senator Van Zandt yielded to Senator Small.

Motion to Suspend Rule.

Senator Small received unanimous consent to suspend the regular order of business and moved to suspend the constitutional rule relating to the time for the introduction of bills.

The motion prevailed by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Senate Bill No. 534.

By Senator Small:

S. B. No. 534, A bill to be entitled "An Act permitting trustees of Independent School Districts in certain counties to issue time warrants for the purpose of taking up, refunding, and extending indebtedness incurred for the legal maintenance of schools in said districts up to June 1, 1935; providing for the amount and maturity of such warrants and interest thereon and for the mode of payment; and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

H. C. R. No. 151.

The Chair laid before the Senate H. C. R. No. 151.

By Mr. Russell:

H. C. R. No. 151, Instructing the Enrolling Clerk of the House to amend the caption of House Bill No. 408 to conform to the body of the bill.

Senator Pace asked unanimous consent that the Senate rule requir-

ing resolutions to be referred to a committee be suspended, and that H. C. R. No. 151 be taken up and considered at this time.

Unanimous consent was granted.

H. C. R. No. 151 was adopted by viva voce vote.

Senate Bill No. 290.

Senator Hill moved that the Senate do concur in House amendments to S. B. No. 290.

The motion prevailed by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

House Bill No. 65.

Motion to Order Previous Question.

Senator Holbrook moved that the Senate order the previous question on all amendments and the final conclusion of H. B. No. 65.

The motion was seconded.

Previous Question.

The motion prevailed by the following vote:

Yeas—19.

Beck.	Neal.
Burns.	Pace.
Cotten.	Rawlings.
Davis.	Regan.
Duggan.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Martin.	Van Zandt.
Moore.	

Nays—10.

Blackert.	Oneal.
Collie.	Poage.
DeBerry.	Redditt.
Isbell.	Westerfeld.
Hill.	Woodruff.

Absent.

Sulak.

Absent—Excused.

Fellbaum.

Point of Order.

Senator Westerfeld raised the following point of order.

Mr. President: I raise the point of order on the substitute bill for House Bill No. 65 on the grounds that the bill is not germane to the original purpose of the Act. I refer you to Section 30 of Article 3 of the Constitution of the State of Texas, which reads as follows:

"No law shall be passed, except by bill, and the bill shall not be so amended in its passage through either House, as to change its original purpose."

I submit, Mr. President, that the original purpose of House Bill No. 65 was to extend regulatory power to cities and towns in Texas under population of two thousand (2,000), and to include telephone companies within the scope of regulation requiring reports., etc.

I submit further that the substitute bill has an entirely different purpose, in that it seeks to take away, instead of extend regulatory authority to cities of Texas and purposes to create a centralized commission which is not set forth in the original caption of House Bill No. 65.

I submit further that the purpose of an Act must be contained in the caption, and that the purpose of the Act may deal with one subject as is set forth in Section 35, Article 3 of the Constitution, but the purport must be taken into consideration in order to determine the germaneness of the purpose of the original bill.

WESTERFELD.

The Chair, Lieutenant Governor Walter F. Woodul, overruled the point of order.

The pending amendment by Senator Oneal was lost, not having received the required two-thirds vote on final passage.

Yeas—15.

Blackert.	Oneal.
Burns.	Pace
Collie.	Poage.
DeBerry.	Redditt.
Duggan.	Shivers.
Hill.	Westerfeld.
Hornsby.	Woodruff.
Isbell.	

Nays—13.

Beck.	Neal.
Cotten.	Rawlings.
Davis.	Regan.
Holbrook.	Small.
Hopkins.	Stone.
Martin.	Van Zandt.
Moore.	

Absent.

Sanderford.

Absent—Excused.

Fellbaum. Sulak.

H. B. No. 65 was finally passed by the following vote:

Yeas—21.

Beck.	Pace.
Burns.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Martin.	Van Zandt.
Moore.	Woodruff.
Neal.	

Nays—8.

Blackert.	Isbell.
Collie.	Oneal.
DeBerry.	Poage.
Hornsby.	Westerfeld.

Absent—Excused.

Fellbaum. Sulak.

Motion to Reconsider.

Senator Van Zandt moved to reconsider the vote by which H. B. No. 65 was finally passed.

Motion to Table.

Senator Hopkins moved to table the motion to reconsider.

The motion to table prevailed by viva voce vote.

Recess.

Senator Davis at 12:15 o'clock p. m. moved that the Senate recess until 2 o'clock p. m.

The motion prevailed by viva voce vote.

After Recess.

The Senate met at 2 o'clock p. m. pursuant to recess and was called to order by the President Pro Tem. K. M. Regan.

S. C. R. No. 59.

Senator Hornsby received unanimous consent to suspend the regular order of business and sent up the following resolution:

Be it resolved by the Senate of Texas, the House of Representatives concurring, That Joint Rules 23, 24 and 32 be, and the same are hereby suspended, for the purpose of considering Senate Bills Nos. 526, 181, 182, 265, 355, 533, 466, 340, 14 and 454.

HORNSBY.

Senator Hornsby moved that the Senate rule requiring resolutions to be referred to a committee be suspended, and that S. C. R. No. 59 be taken up and considered at this time.

The motion prevailed by viva voce vote.

The resolution was adopted by viva voce vote.

Senate Bill No. 149.

Motion to Reconsider.

Senator Redditt moved to reconsider the vote by which the Senate refused to concur in House amendments to S. B. No. 149.

The motion prevailed by viva voce vote.

Motion to Concur.

Senator Redditt moved that the Senate do concur in House amendments to S. B. No. 149.

The motion prevailed by the following vote:

Yeas—29.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Van Zandt.
Isbell.	Westerfeld.
Martin.	Woodruff.
Moore.	

Absent—Excused.

Fellbaum.	Sulak.
-----------	--------

Senate Bill No. 227.

Senator Davis called up S. B. No. 227 which had been recalled from the Governor's office by S. C. R. No. 53.

The Chair laid before the Senate the following bill:

By Senator Davis:

S. B. No. 227, A bill to be entitled "An Act creating a State Conservation Board, providing for its duties, fixing the membership thereof, etc., and declaring an emergency."

Motion to Reconsider.

Senator Davis moved to reconsider the vote by which S. B. No. 227 was finally passed.

The motion prevailed by viva voce vote.

Senator Davis sent up the following:

Amend S. B. No. 227 by striking out in Section 6, page 4, lines 1 and 2 from bottom thereof, the words, "before the amounts provided by" and insert in lieu thereof the words, "out of the amount which under;" and by striking out in lines 1 and 2, page 5 in said section, the words "are deposited as therein provided," and insert in lieu thereof the words, "would otherwise be deposited in the county Road and Bridge Fund;" and by striking out the following words in said section 6, lines 2 and 3, page 5, the following words: "but not more than Three Hundred (\$300.00) Dollars shall be spent per annum on any one farm" and insert

after the words "calendar year," Section 5, line 5, page 4, the following words: "and not more than Three Hundred (\$300.00) Dollars shall be spent per annum on any one farm."

DAVIS.

The amendment was adopted unanimously.

S. B. No. 227 as amended was finally passed by the following vote:

Yeas—28.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Nays—1.

DeBerry.

Absent—Excused.

Fellbaum.	Sulak.
-----------	--------

House Bill No. 390.

The Chair laid before the Senate on its second reading the following bill which had been made special order on the calendar:

By Mr. McKinney:

H. B. No. 390, A bill to be entitled "An Act providing that the Board of Pardons and Paroles, created by Chapter 45, Acts of First Called Session, Forty-first Legislature, shall hereafter sit and have their offices at Huntsville, Walker County, Texas, and declaring an emergency."

Point of "No Quorum."

Senator Shivers raised the point of no quorum.

The roll call was ordered.

The roll call disclosed a quorum.

House Bill No. 390.

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to third reading by the following vote:

Yeas—17.

Blackert.	Poage.
Burns.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Hill.	Shivers.
Hopkins.	Small.
Martin.	Stone.
Moore.	Van Zandt.
Pace.	

Nays—9.

Collie.	Neal.
DeBerry.	Sanderford.
Duggan.	Westerfeld.
Holbrook.	Woodruff.
Hornsby.	

Absent.

Beck.	Oneal.
Isbell.	

Absent—Excused.

Fellbaum.	Sulak.
-----------	--------

On motion of Senator Burns the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 390 was put on its third reading and final passage by the following vote:

Yeas—24.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Martin.	Stone.
Moore.	Van Zandt.

Nays—4.

Hornsby.	Westerfeld.
Isbell.	Woodruff.

Absent.

Davis.

Absent—Excused.

Fellbaum.	Sulak.
-----------	--------

Read third time and finally passed by the following vote:

Yeas—17.

Beck.	Burns.
Blackert.	Cotten.

Hill.	Redditt.
Hopkins.	Regan.
Martin.	Shivers.
Moore.	Small.
Pace.	Stone.
Poage.	Van Zandt.
Rawlings.	

Nays—10.

Collie.	Isbell.
DeBerry.	Neal.
Duggan.	Sanderford.
Holbrook.	Westerfeld.
Hornsby.	Woodruff.

Absent.

Davis.	Oneal.
--------	--------

Absent—Excused.

Fellbaum.	Sulak.
-----------	--------

Privileged Motions.

Senate Bill No. 42.

Senator Rawlings sent up the following conference committee report on S. B. No. 42.

Committee Room,
Austin, Texas, May 8, 1935.

Hon. Walter F. Woodul, President of the Senate.

Hon. Coke R. Stevenson, Speaker of the House of Representatives.

Sirs: We, your Conference Committee appointed to adjust the differences between the two Houses on S. B. No. 42, have had the same under consideration, and we recommend that said bill be passed in the form hereto attached.

Respectfully submitted,
RAWLINGS,
SMALL,
COTTEN,
HOPKINS,
VAN ZANDT,

On the part of the Senate.

LEMENS,
PATTERSON,
HANKAMER,
GRAY,
ATCHISON,

On the part of the House.

C. S., S. B. No. 42.

A BILL

To Be Entitled

An Act amending Article 5449, 1925 Civil Statutes, so as to provide that when any abstract of judg-

ment has been recorded it shall, from the date of such record and index, operate as a lien upon all of the real estate of the defendant situated in the county where such record and index are made and upon all real estate which defendant may thereafter acquire, situated in said county during the life of the judgment, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 5449 of the Revised Civil Statutes of the State of Texas 1925 revision, be amended so as to read as follows:

"Article 5449. When any judgment has been so recorded and indexed, it shall, from the date of such record and index, operate as a lien upon all of the real estate of the defendant situated in the county where such record and index are made, and upon all real estate which the defendant may thereafter acquire, situated in said county. Said lien shall continue during the life of said judgment; provided however, this Act shall not be retroactive as to liens that have become dormant prior to its enactment."

Sec. 2. The fact that under amended Articles 2451 and 3773, 1925, Civil Statutes, a judgment creditor has ten (10) years from and after the date of judgment within which to have execution issued thereon, and the fact that under present Article 5449 a judgment lien shall cease to exist if the plaintiff fails to have execution issued on his judgment within twelve (12) months after the rendition thereof, which Statute if left unamended would cause unnecessary and useless expense to litigants, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

On motion of Senator Rawlings the conference committee report on S. B. No. 42 was adopted by the following vote:

Yeas—29.

Beck.	Cotten.
Blackert.	Davis.
Burns.	DeBerry.
Collie.	Duggan.

Hill.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Sanderford.
Isbell.	Shivers.
Martin.	Small.
Moore.	Stone.
Neal.	Van Zandt.
Oneal.	Westerfeld.
Pace.	Woodruff.
Poage.	

Absent—Excused.

Fellbaum. Sulak.

House Bill No. 407.

Senator Shivers sent up the following conference committee report:

Committee Room,

Austin, Texas, May 8, 1935.

Hon. Walter F. Woodul, President of the Senate.

Hon. Coke R. Stevenson, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the two Houses on H. B. No. 407, recommend that the bill be passed in the form and text as submitted herewith.

Respectfully submitted,

BECK,
MORRIS,
HODGES,
CANON,
ALSUP,

On the part of the House.

SHIVERS,
BURNS,
HOPKINS,
ISBELL,
BECK,

On the part of the Senate.

C. S., H. B. No. 407.

A BILL

To Be Entitled

An Act creating a State system of public employment offices; accepting the provisions of the Wagner-Peyser Act approved June 6, 1933 (48 Stat. 113, U. S. Code, Title 29, Section 49) 'An act to provide for the establishment of a national employment system and for co-operation with the states in the promotion of such system, and for other purposes'; designating the Bureau of Labor Statistics as the agency for the administration of this Act; creating a division with-

in the Bureau of Labor Statistics to be known as the Texas State Employment Service, responsible for the administrative system of public employment offices; authorizing and directing the Commissioner of Labor Statistics to establish employment offices in such parts of the State as he deems necessary, and to prescribe the rules and regulations not inconsistent with any provisions of this act; authorizing the Commissioner of Labor Statistics to appoint the officers and other employees of the Texas State Employment Service; providing that the Federal Funds made available to this State under said Act of Congress shall be paid into the Treasury of this State; appropriating said Federal Funds and making them available to the Bureau of Labor Statistics to be expended as provided by said Act of Congress and this Act; appropriating the sum of Forty-two Thousand (\$42,000.00) Dollars for the purpose of maintaining the Public Employment Offices created under this Act and for the purpose of cooperating with the United States Employment Service; providing that this Act shall take effect on July 1, 1935; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. The State of Texas accepts the provisions of the Wagner-Peyser Act approved June 6, 1933 (48 Stat. 113, U. S. Code Title 29, Section 49) 'An act to provide for the establishment of a national employment system and for co-operation with the states in the promotion of such system, and for other purposes,' in conformity with Section 4 thereof, and will observe and comply with the requirements of said Act.

Sec. 2. The Bureau of Labor Statistics is hereby designated and constituted the agency of the State of Texas for the purposes of such Act. Said Bureau, its officers and employees, are hereby given full power to co-operate with all authorities of the United States having powers or duties under such Act and to do and perform all things necessary to secure to the State of Texas the provisions of such Act in the promotion and maintenance of a system of public employment offices.

Sec. 3. There is hereby created within the Bureau of Labor Statistics a division to be known as the Texas State Employment Service, responsible for administering a system of public employment offices for the purpose of assisting employers to secure employees, and workers to secure employment. The Commissioner of Labor Statistics is authorized and directed to establish such offices in such parts of the State as he deems necessary and to prescribe rules and regulations not inconsistent with any of the provisions of this Act.

Sec. 4. The Commissioner of Labor Statistics, in accordance with the regulations prescribed by the Director of the United States Employment Service, shall appoint the officers and other employees of the Texas State Employment Service created under this Act.

Sec. 5. All Federal funds made available to this State under said Act of Congress shall be paid into the Treasury of this State, and said funds are hereby appropriated and made available to the Bureau of Labor Statistics to be expended as provided by said Act of Congress and this Act.

Sec. 6. The sum of Six Thousand (\$6,000.00) Dollars is hereby appropriated out of any monies in the State Treasury not otherwise appropriated for the purpose of administering the Public Employment Offices created under this Act, and for the purpose of co-operating with the United States Employment Service for the months of July and August 1935; for the fiscal year commencing the first day of September 1935 and ending August 31, 1936, the sum of Thirty-six Thousand (\$36,000.00) Dollars is hereby appropriated out of any monies in the State Treasury not otherwise appropriated for the purpose of administering the Public Employment Offices created under this Act, and for the purpose of co-operating with the United States Employment Service.

Sec. 7. This Act shall take effect July 1, 1935.

Sec. 8. The fact that under the present laws the State of Texas is not permitted to avail itself of the benefits of the Wagner-Peyser Act approved June 6, 1933 (48 Stat. 113, U. S. Code, Title 29, Section 49) and the further fact that the State of Texas will lose all the benefits of

said Act on June 30, 1935, unless in the meantime the Legislature of this State shall have enacted a law accepting the provisions of said Act, and the further fact that unemployment of Texas citizens is the most distressing problem confronting this State at this time, creates an emergency and an imperative public necessity requiring the suspension of the constitutional rule for the reading of bills on three several days in each House, and said rule is hereby suspended, and this Act is made to take effect from and after its passage, and it is so enacted.

On motion of Senator Shivers the conference committee report on H. B. No. 407 was adopted by the following vote:

Yeas—25.

Beck.	Oneal.
Blackert.	Poage.
Burns.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Nays—4.

Collie.	Holbrook.
DeBerry.	Pace.

Absent—Excused.

Fellbaum.	Sulak.
-----------	--------

House Bill No. 417.

Senator Redditt sent up the following conference committee report:

Committee Room,

Austin, Texas, May 2, 1935.

Hon. Walter F. Woodul, President of the Senate.

and

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the two houses on H. B. No. 417, recommend that the bill be passed in form and text as submitted herewith.

REDDITT,
VAN ZANDT,
HOPKINS.

On part of the Senate,

LEONARD,
WOOD of Montague,
GRAVES,
ATCHISON,
FRAZER,

On part of the House.

An Act providing for and fixing the salaries of the members of the Judiciary of the State of Texas and making appropriation therefor and making appropriation for the support and maintenance of the Judicial Department of the State of Texas for the two (2) years beginning September 1, 1935, and ending August 31, 1937; requiring certain fees paid to clerks or officers of all Appellate Courts to be deposited monthly in the State Treasury; prescribing certain rules and restrictions respecting the expenditures of appropriations made herein; amending Section 1 of House Bill 280, Chapter 148, Acts of the Regular Session of the Forty-third Legislature; repealing all laws in conflict herewith; declaring the invalidity of any portion of this Act shall not affect any other portion, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Section 1 of House Bill 280, Chapter 148, Acts of the Regular Session of the Forty-third Legislature, is hereby amended so as to read as follows:

"Section 1. From and after August 31, 1935, the Judges of the Supreme Court and the Judges of the Court of Criminal Appeals of this State shall each be paid an annual salary of Six Thousand, Five Hundred

Dollars (\$6,500), payable in equal monthly installments; Judges of the Supreme Court Commission of Appeals, and Judges of the Commission in Aid of the Court of Criminal Appeals, shall each be paid an annual salary of Five Thousand, Seven Hundred Dollars (\$5,700), payable in equal monthly installments; Judges of the several Courts of Civil Appeals of this State shall each be paid an annual salary of Five Thousand, Four Hundred Dollars (\$5,400), payable in equal monthly installments; Judges of the District Courts and Judges of the Criminal District Courts of this State shall each be paid an annual salary of Four Thousand Dollars (\$4,000), payable in equal monthly installments."

Sec. 2. The salaries of the District Attorneys of the State of Texas, the State's Attorney before the Court of Criminal Appeals, the Clerks of the Supreme Court, Court of Criminal Appeals and Court of Civil Appeals and the salaries of the other officers and employees of the Supreme Court of the State of Texas, the Court of Criminal Appeals and the Court of Civil Appeals, shall be as fixed hereinafter in this Act and as shall be determined by the Legislature in its various appropriation acts for the support of the Judiciary of this State.

Sec. 3. That the several sums of money herein specified, or so much thereof as may be necessary, are hereby appropriated, out of any moneys in the State Treasury, not otherwise appropriated, for the purposes herein indicated as follows:

COURT OF CIVIL APPEALS
First District, Galveston, Texas.

	For the Years Ending	
	August 31, 1936	August 31, 1937
1. Salaries of three judges at \$5,400.00 each per year.....	\$ 16,200.00	\$ 16,200.00
2. Salary of Clerk.....	3,600.00	3,600.00
3. Salaries of deputy clerks and/or law clerks and/or stenographers.....	3,240.00	3,240.00
4. Salary of porter.....	660.00	660.00
5. Fuel, lights, water, equipment, maintenance and contingent expenses.....	650.00	650.00
6. Books for library.....	625.00	625.00
Total	\$ 24,975.00	\$ 24,975.00

COURT OF CIVIL APPEALS
Second District, Fort Worth, Texas.

1. Salaries of three judges at \$5,400.00 each per year.....	\$ 16,200.00	\$ 16,200.00
2. Salary of Clerk.....	3,600.00	3,600.00
3. Salaries of deputy clerks and/or law clerks and/or stenographers.....	3,240.00	3,240.00
4. Salary of porter.....	660.00	660.00
5. Equipment, maintenance and contingent expenses.....	500.00	500.00
6. Books for library.....	625.00	625.00
Total	\$ 24,825.00	\$ 24,825.00

COURT OF CIVIL APPEALS
Third District, Austin, Texas.

1. Salaries of three judges at \$5,400.00 each per year.....	\$ 16,200.00	\$ 16,200.00
2. Salary of Clerk.....	3,600.00	3,600.00
3. Salaries of deputy clerks and/or law clerks and/or stenographers.....	3,240.00	3,240.00

	For the Years Ending	
	August 31, 1936	August 31, 1937
4. Salary of porter.....	660.00	660.00
5. Equipment, maintenance and contingent expenses.....	500.00	500.00
6. Books for library.....	325.00	325.00
Total	\$ 24,525.00	\$ 24,525.00

COURT OF CIVIL APPEALS
Fourth District, San Antonio, Texas.

1. Salaries of three judges at \$5,400.00 each per year.....	\$ 16,200.00	\$ 16,200.00
2. Salary of Clerk.....	3,600.00	3,600.00
3. Salaries of deputy clerks and/or law clerks and/or stenographers.....	3,240.00	3,240.00
4. Salary of porter.....	660.00	660.00
5. Equipment, maintenance and contingent expenses.....	500.00	500.00
6. Books for library.....	1,625.00	625.00
Total	\$ 25,825.00	\$ 24,825.00

COURT OF CIVIL APPEALS
Fifth District, Dallas, Texas.

1. Salaries of three judges at \$5,400.00 each per year.....	\$ 16,200.00	\$ 16,200.00
2. Salary of Clerk.....	3,600.00	3,600.00
3. Salaries of deputy clerks and/or law clerks and/or stenographers.....	3,240.00	3,240.00
4. Salary of porter.....	660.00	660.00
5. Equipment, maintenance and contingent expenses.....	500.00	500.00
6. Books for library.....	625.00	625.00
Total	\$ 24,825.00	\$ 24,825.00

COURT OF CIVIL APPEALS
Sixth District, Texarkana, Texas.

1. Salaries of three judges at \$5,400.00 each per year.....	\$ 16,200.00	\$ 16,200.00
2. Salary of Clerk.....	3,600.00	3,600.00
3. Salaries of deputy clerks and/or law clerks and/or stenographers.....	3,240.00	3,240.00
4. Salary of porter.....	660.00	660.00
5. Light, fuel, equipment, maintenance and contingent expenses.....	725.00	725.00
6. Books for library.....	625.00	625.00
Total	\$ 25,050.00	\$ 25,050.00

COURT OF CIVIL APPEALS
Seventh District, Amarillo, Texas.

1. Salaries of three judges at \$5,400.00 each per year.....	\$ 16,200.00	\$ 16,200.00
2. Salary of Clerk.....	3,600.00	3,600.00
3. Salaries of deputy clerks and/or law clerks and/or stenographers.....	3,240.00	3,240.00

	For the Years Ending	
	August 31, 1936	August 31, 1937
4. Salary of porter.....	720.00	720.00
5. Equipment, maintenance and contingent expenses	500.00	500.00
6. Books for library.....	625.00	625.00
Total	\$ 24,885.00	\$ 24,885.00

COURT OF CIVIL APPEALS
Eighth District, El Paso, Texas.

1. Salaries of three judges at \$5,400.00 each per year.....	\$ 16,200.00	\$ 16,200.00
2. Salary of Clerk.....	3,600.00	3,600.00
3. Salaries of deputy clerks and/or law clerks and/or stenographers.....	3,240.00	3,240.00
4. Salary of porter.....	720.00	720.00
5. Equipment, maintenance and contingent expenses	500.00	500.00
6. Books for library.....	625.00	625.00
Total	\$ 24,885.00	\$ 24,885.00

COURT OF CIVIL APPEALS
Ninth District, Beaumont, Texas.

1. Salaries of three judges at \$5,400.00 each per year.....	\$ 16,200.00	\$ 16,200.00
2. Salary of Clerk.....	3,600.00	3,600.00
3. Salaries of deputy clerks and/or law clerks and/or stenographers.....	3,240.00	3,240.00
4. Salary of porter.....	660.00	660.00
5. Equipment, maintenance and contingent expenses	500.00	500.00
6. Books for library.....	625.00	625.00
Total	\$ 24,825.00	\$ 24,825.00

COURT OF CIVIL APPEALS
Tenth District, Waco, Texas.

1. Salaries of three judges at \$5,400.00 each per year.....	\$ 16,200.00	\$ 16,200.00
2. Salary of Clerk.....	3,600.00	3,600.00
3. Salaries of deputy clerks and/or law clerks and/or stenographers.....	3,240.00	3,240.00
4. Salary of porter.....	660.00	660.00
5. Equipment, maintenance and contingent expenses	500.00	500.00
6. Books for library.....	625.00	625.00
Total	\$ 24,825.00	\$ 24,825.00

COURT OF CIVIL APPEALS
Eleventh District, Eastland, Texas.

1. Salaries of three judges at \$5,400.00 each per year.....	\$ 16,200.00	\$ 16,200.00
2. Salary of Clerk.....	3,600.00	3,600.00
3. Salaries of deputy clerks and/or law clerks and/or stenographers.....	3,240.00	3,240.00
4. Salary of porter.....	660.00	660.00

	For the Years Ending	
	August 31, 1936	August 31, 1937
5. Equipment, maintenance and contingent expenses	500.00	500.00
6. Books for library	625.00	625.00
Total	\$ 24,825.00	\$ 24,825.00
Traveling expenses of Judges of Courts of Civil Appeals when sitting in other Districts	\$ 1,500.00	\$ 1,500.00

SUPREME COURT AND SUPREME COURT—COMMISSION OF APPEALS,
SECTIONS A AND B

	For the Years Ending	
	August 31, 1936	August 31, 1937
1. Salaries of three Judges of Supreme Court at \$6,500.00 each per year	\$ 19,500.00	\$ 19,500.00
2. Salaries of six Judges of Supreme Court Commission of Appeals, Sections A and B at \$5,700.00 each per year	34,200.00	34,200.00
3. Salary of Clerk of Supreme Court, including salary for services to Commission of Appeals	4,800.00	4,800.00
4. Salary of Reporter	3,000.00	3,000.00
5. Salaries of briefing clerks and of law clerk-secretaries, who also do legal research work for Supreme Court and Commission of Appeals; salaries of briefing clerks not to exceed \$2,100.00 each per year and of law clerk-secretaries not to exceed \$1,500.00 each per year	12,500.00	12,500.00
6. Salary of marshal and assistant librarian	1,800.00	1,800.00
7. Salary of three porters at \$660.00 each per year	1,980.00	1,980.00
8. Salary of deputy clerk, who shall also act as secretary to Board of Legal Examiners	3,300.00	3,300.00
9. Salaries of three deputy clerks, at not exceeding \$2,100.00 each per year	6,300.00	6,300.00
10. Salary of secretary to deputy clerk and assistant secretary to Board of Legal Examiners	1,500.00	1,500.00
11. Printing, postage, express, books, re-binding, repairs, furniture, equipment cases and contingent expenses	3,500.00	3,500.00
Total	\$ 92,380.00	\$ 92,380.00

COURT OF CRIMINAL APPEALS AND COMMISSION IN AID OF
COURT OF CRIMINAL APPEALS

1. Salaries of three judges at \$6,500.00 each per year	\$ 19,500.00	\$ 19,500.00
2. Salaries of two judges of Commission in aid of Court of Criminal Appeals at \$5,700.00 each per year	11,400.00	11,400.00

	For the Years Ending	
	August 31, 1936	August 31, 1937
3. Salary of Clerk.....	4,000.00	4,000.00
4. Salary of bailiff.....	2,100.00	2,100.00
5. Salaries of briefing clerks and of law clerk-secretaries, who also do legal research work for the Court of Criminal Appeals and the Commission in aid of the Court; salaries of briefing clerks not to exceed \$2,100.00 each per year and of law clerk-secretaries not to exceed \$1,500.00 each per year	9,000.00	9,000.00
6. Salary of court reporter.....	3,600.00	3,600.00
7. Salary of porter.....	660.00	660.00
8. Postage, telephones, box rent, record books, stationery, furniture, filing cases, filing envelopes, typewriters, pictures of deceased judges and contingent expenses	2,000.00	2,000.00
Total	\$ 52,260.00	\$ 52,260.00
STATE PROSECUTING ATTORNEY BEFORE COURT OF CRIMINAL APPEALS		
1. Salary of Attorney.....	\$ 4,500.00	\$ 4,500.00
2. Salary of secretary and law clerk.....	1,800.00	1,800.00
3. Law books, telephone, postage, furniture, supplies, equipment and contingent expenses	350.00	350.00
Total	\$ 6,650.00	\$ 6,650.00
JUDICIARY SECTION—COMPTROLLER'S DEPARTMENT		
1. Salaries of 128 district judges and criminal district judges at \$4,000.00 each per year	\$ 512,000.00	\$ 512,000.00
2. Constitutional allowance for 58 district attorneys at \$500.00 each per year....	29,000.00	29,000.00
3. Compensation of 52 district attorneys at \$17.00 per day for each day spent in the actual and necessary performance of their duties for not exceeding 177 days in any one calendar year, provided not exceeding \$3,009.00 shall be paid for any one district office during a state fiscal year	156,468.00	156,468.00
4. Compensation of district attorney of 34th judicial district (El Paso district) at \$20.00 per day for each day spent in the actual and necessary performance of his duties for not exceeding 250 days in any one calendar or State fiscal year.....	5,000.00	5,000.00
5. Compensation of assistant district attorney of 34th (El Paso) judicial district	2,700.00	2,700.00
5a. Compensation of assistant district attorney of 9th Special Judicial District	2,750.00	2,750.00
6. Compensation of one assistant district attorney or one special investigator		

		For the Years Ending	
		August 31, 1936	August 31, 1937
for each of the following judicial districts: 49th, 22nd, 53rd, 47th and 72nd; total of five assistants at \$1,800.00 each per year-----		9,000.00	9,000.00
6a. Compensation of the District Attorney of the Seventh Judicial District for fifty extra days at \$18.00 per day for each day spent in the actual and necessary performance of his duty in excess of 177 days during each of the calendar years 1935 and 1936, in accordance with the general law providing for said officer-----		900.00	900.00
7. District judges and district attorneys expenses in districts composed of two or more counties (per article 6820 R. C. S.) payable quarterly-----		35,000.00	35,000.00
8. Special district judges salaries and regular district judges expenses when holding court out of their districts-----		7,500.00	7,500.00
9. Transcript fees to official court reporters for narrative statement of facts and/or in cases where court is required and does appoint attorney to represent defendant in criminal action, and where official reporter is required and does furnish defendant's attorney with transcript of his notes as is provided by law-----		1,000.00	1,000.00
10. Fees and costs of officials in cases of escheated estates including accrued fees-----		50.00	50.00
11. Fees and costs of sheriffs, attorneys and clerks in felony cases and fees of county judges, county attorneys, justices of peace, sheriffs and constables in examining trials actually held and where indictments are returned-----		550,000.00	550,000.00
12. Expenses of attached witnesses, witness fees and mileage allowed witnesses in felony cases, who live in counties other than the county in which the case is being tried-----		210,000.00	210,000.00
13. Special Judges of Supreme Court, Courts of Criminal Appeals and Civil Appeals where disqualification of regular judge exists and special judges are appointed; per diem to be the same as a regular district judge receives per day-----		1,200.00	1,200.00
Total-----		\$ 1,522,568.00	\$ 1,522,568.00

Sec. 3a. To cover deficiencies in appropriations made by the Forty-third Legislature for law books for the Courts of Civil Appeals for the biennium ending August 31, 1935, the following supplemental amounts, to be available immediately, are hereby appropriated to the several Courts of Civil Appeals named below, as follows:

First Supreme Judicial District-----	\$ 591.75
Second Supreme Judicial District-----	570.50

	For the Years Ending August 31, 1936	August 31, 1937
Fifth Supreme Judicial District		585.00
Seventh Supreme Judicial District		575.00
Eighth Supreme Judicial District		400.00
Tenth Supreme Judicial District		331.25
Eleventh Supreme Judicial District		200.00
Total		\$3,253.50

GENERAL PROVISIONS

Sec. 4. All amounts appropriated in this Act for law books, or expended therefor under authority of this Act, shall be paid out of the special accounts in the General Revenue Fund provided for in Section 6 hereof. Annual expenditures for law books shall not however, exceed the respective itemized amounts appropriated for each of said courts.

Sec. 5. The salaries of all deputy clerks, law clerks, law clerk-secretaries, briefing clerks, secretaries and stenographers for whom appropriations are made in this Act in lump sums shall be fixed by the several courts at not exceeding the amounts specified herein.

Sec. 6. All fees paid to any court for which appropriations are made herein or to any of the clerks, officers or employees of any such court, whether such fees are for official or unofficial copies of opinions, or for other services or documents, shall be deposited at the close of each month in the General Revenue Fund of the State Treasury and shall be carried as a special account in said fund for the court depositing same, and none of such fees shall be retained by or paid to said clerks, officers or employees. Each court employee whose salary is provided for herein, except porters, shall file with the Comptroller at the end of each month an affidavit showing that he has not retained any compensation out of any court fees or other fees received by him or the court during that month and showing that all such fees have been deposited in the State Treasury. The Comptroller shall not issue a warrant in payment of the salary of any such employee for any month unless and until the affidavit required herein has been filed for that month.

Sec. 7. a. Appropriations made in this Bill are intended to be, and shall be, construed as being the maximum sums, respectively, which may be used in any way for the purposes or objects named in the Act, and obligations shall not be incurred in any case which, when the amount thereof added to expenditures actually made, will exceed such maximum sum; and no surplus shall be diverted from one appropriation to another. Provided, however, that transfers or adjustments may be made from and to appropriations for maintenance, supply and contingent items, but not to or from law-book appropriations.

b. All printing and stationery shall be purchased through the Board of Control and shall be confined to such articles and qualities as selected and contracted for by the Board of Control.

c. No account against any items of witness fees, County Attorneys, Justices of Peace, Sheriffs, and Constables' fees, and costs of Sheriffs, Attorneys and Clerks in felony cases, shall be binding as an obligation against the State of Texas, until such account shall have been examined, audited, and approved by the State Comptroller, and no such account shall be paid by the State Treasurer until the same has been approved by the Comptroller.

d. It shall be the duty of each of the Appellate Courts and Judicial Agencies of the State annually, and within sixty (60) days after the close of the State's fiscal year, to make a sworn statement to the Governor of all amounts received and/or expended by said Court and/or agency. Provided, further that it shall be the duty of the head of each Court and Judicial Agency of the State Government, annually, and

within sixty (60) days after the close of the State's fiscal year to make a sworn statement to the Governor of all amounts received and/or expended by said Court or agency and simultaneously with the filing of his report with the Governor, he shall forward a copy of said report to the State Board of Control. A report from each Court shall be filed annually with the Governor, and a copy thereof with the State Board of Control, showing the total number of cases filed in each Court during the year, the number of cases transferred to and from each Court, the number of cases disposed of with proper divisional classification as to total number of cases similarly disposed of, that is, by dismissal, final judgment, reversal, affirmance and any other statistical data which may be required by the Governor or State Board of Control.

e. Annual salaries provided for herein shall be paid in twelve equal monthly installments. Printed matter, stationery, materials and supplies in any way authorized (by this Bill or other law) to be purchased or contracted for or in behalf of any court or agency thereof named in this Bill be purchased or contracted for by the Board of Control and in the appropriate general manner provided for the Board of Control in existing laws.

f. No funds appropriated in this Bill shall be used to pay any expense of traveling outside the boundaries of the State of Texas or for payment (or reimburse for payment) of any tip or gratuity whatsoever.

g. Each officer, agent or employee of a Court named in this Act and entitled to be paid a salary or other compensation out of any appropriation above made shall be paid by warrant and/or check issued in his or her name and specifically showing the amount of salary or sum due and the services for which the payment is being made (with date or dates and place or places of performance of such services) such warrant and/or check to be endorsed, before payment thereof, by such officer, agent or employee.

h. Money appropriated above for stamps or postage shall be expended only upon warrants made payable to a Postmaster and endorsed by such Postmaster or his deputy or authorized clerk.

i. That portion of every appropriation out of state funds or local receipts made herein which is unexpended at the close of the fiscal year for which the appropriation is made shall immediately revert to and become a part of the General Revenue Fund. It is hereby provided that the word "unexpended" as used in this Act means "not disbursed nor contracted to be disbursed."

Sec. 8. All laws and parts of laws in conflict with this Act are hereby repealed.

Sec. 9. If any section, sentence, clause, or part of this Act shall, for any reason, be held to be invalid, such decision shall not affect the remaining portions of this Act, and it is hereby declared to be the intention of the Legislature to have passed each sentence, section, clause, or part thereof irrespective of the fact that any other sentence, section, clause or part thereof may be declared invalid.

Sec. 10. The fact that the above and foregoing is one of the regular appropriation bills to pay the salaries, support, maintenance and operation of the Judiciary and other important agencies of the State for the two (2) fiscal years beginning September 1, 1935, and ending August 31, 1937, and the crowded condition of the calendars of the two Houses of the Legislature, create an emergency and an imperative public necessity, requiring the Constitutional Rule that bills be read on three several days be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

RECAPITULATION—JUDICIARY APPROPRIATION

	For the Years Ending	
	August 31, 1936	August 31, 1937
Court of Civil Appeals, 1st District, Galveston	\$ 24,975.00	\$ 24,975.00
Court of Civil Appeals, 2nd District, Fort Worth	24,825.00	24,825.00
Court of Civil Appeals, 3rd District, Austin	24,525.00	24,525.00
Court of Civil Appeals, 4th District, San Antonio	25,825.00	24,825.00
Court of Civil Appeals, 5th District, Dallas	24,825.00	24,825.00
Court of Civil Appeals, 6th District, Texarkana	25,050.00	25,050.00
Court of Civil Appeals, 7th District, Amarillo	24,885.00	24,885.00
Court of Civil Appeals, 8th District, El Paso	24,885.00	24,885.00
Court of Civil Appeals, 9th District Beaumont	24,825.00	24,825.00
Court of Civil Appeals, 10th District, Waco	24,825.00	24,825.00
Court of Civil Appeals, 11th District, Eastland	24,825.00	24,825.00
Traveling expenses of Judges of Courts of Civil Appeals when sitting in other districts	1,500.00	1,500.00
Total, Courts of Civil Appeals	\$ 275,770.00	\$ 274,770.00
Supreme Court and Commission of Appeals Sections A and B, to aid Supreme Court	\$ 92,380.00	\$ 92,380.00
Court of Criminal Appeals, Commission of Appeals to aid Court of Criminal Appeals and State's Attorney	58,910.00	58,910.00
Judiciary of Comptroller's Department	1,522,568.00	1,522,568.00
Grand Totals	\$ 1,949,628.00	\$ 1,948,628.00
Combined Grand Total	\$ 3,898,256.00	

On motion of Senator Redditt the Conference Committee report on H. B. No. 417 was adopted by the following vote:

Yeas—24.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
Duggan.	Regan.
Holbrook.	Sanderford.
Hopkins.	Shivers.
Hornsby.	Stone.
Isbell.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Nays—5.

Blackert.	Martin.
DeBerry.	Small.
Hill.	

Absent—Excused.

Fellbaum.	Sulak.
-----------	--------

House Bill No. 89.

The Chair laid before the Senate on its second reading the following bill which had been made special order on the calendar:

By Mr. Wells:

H. B. No. 89, A bill to be entitled "An Act amending Subsections (2) and (4) of Section 1; repealing subsection (3) of Section 2; amending subsection (2) of Section 2; amending Section 3; amending Section 5; and amending Sections 8 and 9, of House Bill No. 154, Chapter 162, Acts of the Regular Session of the Forty-third Legislature, as amended by Chapter 12 House Bill No. 55, Acts of the First Called Session of the Forty-third Legislature, and declaring an emergency."

Senator Hill sent up the following amendment:

Amend H. B. No. 89, Section 6, Subsection (1), page 5, line 14, by

inserting after the word "officer" the following:

"Shall institute through the Attorney General a suit in rem against such oil, and against all persons owning, claiming or in possession thereof, such suit in the county in which such oil is located.

(c) Notice of pendency of such suit shall be served in the manner prescribed by law; either party to said suit may demand a trial by jury on any issue of fact raised by the pleadings and the case shall proceed to trial as other civil cases. If, upon the trial of such suit the oil or product in controversy is found to be unlawful oil or unlawful products, then the court trying said cause shall render judgment forfeiting the same to the State of Texas and authorizing the issuance of an order of sale directed to the sheriff or any constable of the county where the oil or products are located commanding such officer to seize and sell said property in the same manner as personal property is sold under execution. The court may order the oil or products sold in whole or in part as may be deemed proper and the sale shall be conducted at the courthouse door of the county where the oil and/or products are located and shall conform in all respects to the sale of personal property as aforesaid. The money realized from the sale of any such unlawful oil and/or products shall be applied, first, to the payment of the costs of suit and expenses incident to the sale of such oil and/or products after such expenses have been approved and allowed by the court trying the case, and all funds then remaining shall be remitted forthwith to the State Comptroller and shall be by the Treasurer placed to the credit of the General Revenue Fund of the State of Texas, and strike out the remainder of the sentence ending on line 18 with the word "cash."

HILL.

Read and pending.

Motion to Table.

Senator Cotten moved to table the amendment by Senator Hill.

Motion pending.

Motion to Order Previous Question.

Senator Moore moved that the Senate order the previous question

on the pending amendment and the engrossment of H. B. No. 89.

The motion was seconded.

The motion prevailed by the following vote:

Yeas—14.

Blackert.	Martin.
Collie.	Moore.
Duggan.	Neal.
Holbrook.	Rawlings.
Hopkins.	Regan.
Hornsby.	Sanderford.
Isbell.	Small.

Nays—12.

Burns.	Poage.
Cotten.	Redditt.
DeBerry.	Shivers.
Hill.	Van Zandt.
Oneal.	Westerfeld.
Pace.	Woodruff.

Absent.

Beck.	Stone.
Davis.	

Absent—Excused.

Fellbaum.	Sulak.
-----------	--------

Senator Hill withdrew his amendment by unanimous consent.

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to third reading by viva voce vote.

Motion to Reconsider.

Senator Oneal moved to reconsider the vote by which H. B. No. 89 passed to third reading.

The motion to reconsider lost by the following vote:

Yeas—11.

Blackert.	Pace.
Burns.	Poage.
Collie.	Redditt.
DeBerry.	Van Zandt.
Isbell.	Woodruff.
Oneal.	

Nays—13.

Cotten.	Neal.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hornsby.	Small.
Martin.	Stone.
Moore.	

Present—Not Voting.

Beck.

Absent.

Davis.

Rawlings.

Hopkins.

Westerfeld.

Absent—Excused.

Fellbaum.

Sulak.

On motion of Senator Duggan the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 89 was put on its third reading and final passage by the following vote:

Yeas—27.

Beck.

Moore.

Blackert.

Neal.

Burns.

Oneal.

Collie.

Pace.

Cotten.

Rawlings.

Davis.

Redditt.

DeBerry.

Regan.

Duggan.

Sanderford.

Hill.

Shivers.

Holbrook.

Small.

Hopkins.

Stone.

Hornsby.

Westerfeld.

Isbell.

Woodruff.

Martin.

Nays—2.

Poage.

Van Zandt.

Absent—Excused.

Fellbaum.

Sulak.

Senator Pace sent up the following amendment:

Amend H. B. No. 89, page 2, by striking out all of lines 50 to 61 inclusive, beginning with the word "provided" in line 50.

PACE.

Read and pending.

S. C. R. No. 60.

Senator Hornsby received unanimous consent to suspend the regular order of business and sent up the following resolution:

Be it resolved by the Senate of Texas, the House of Representatives concurring, that Joint Rules 23, 24 and 32 be, and the same are hereby suspended so that the Senate may consider Senate Bills Nos. 526, 181 and 182.

HORNSBY.

Senator Hornsby asked unanimous consent that the Senate rule requiring resolutions to be referred to a committee be suspended, and that S. C. R. No. 60 be taken up and considered at this time.

Unanimous consent was granted.

S. C. R. No. 60 was adopted unanimously.

S. C. R. No. 61.

Senator Davis received unanimous consent to suspend the regular order of business and sent up the following resolution:

Be it resolved by the Senate of Texas, the House of Representatives concurring, That the Joint Rules 23, 24 and 32 be, and the same are hereby, suspended for the purpose of considering, until finally disposed of, S. B. No. 355.

DAVIS.

Senator Davis asked unanimous consent that the Senate rule requiring resolutions to be referred to a Committee be suspended, and that S. C. R. No. 61 be taken up and considered at this time.

Unanimous consent was granted.

S. C. R. No. 61 was adopted unanimously.

House Bill No. 89.

The question recurred on the adoption of the pending amendment.

The amendment lost by the following vote:

Yeas—15.

Burns.

Pace.

Cotten.

Poage.

DeBerry.

Redditt.

Hill.

Sanderford.

Holbrook.

Van-Zandt.

Hornsby.

Westerfeld.

Isbell.

Woodruff.

Oneal.

Nays—10.

Collie.

Rawlings.

Davis.

Regan.

Martin.

Shivers.

Moore.

Small.

Neal.

Stone.

Present—Not Voting.

Duggan.

Absent.

Beck.

Hopkins.

Blackert.

Absent—Excused.

Fellbaum. Sulak.

Senator Moore sent up the following amendment:

Amend H. B. No. 89, page 2, line 60, immediately after the words "State of Texas," the words "and/or the University of Texas."

MOORE.

Read and adopted by the following vote:

Yeas—24.

Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Holbrook.	Sanderford.
Hornsby.	Shivers.
Isbell.	Small.
Martin.	Stone.
Moore.	Van Zandt.
Neal.	Westerfeld.
Oneal.	Woodruff.

Present—Not Voting.

Hill.

Absent.

Beck.	Davis.
Blackert.	Hopkins.

Absent—Excused.

Fellbaum. Sulak.

Senator Poage sent up the following amendment:

Amend H. B. No. 89 by adding in line 60, page 2, after the words "State of Texas," the following: "or any political subdivision thereof."

POAGE.

Read and adopted by the following vote:

Yeas—28.

Beck.	Neal.
Burns.	Oneal.
Collie.	Pace.
Cotten.	Poage.
Davis.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Blackert. Sulak.
Fellbaum.

Senator Woodruff sent up the following amendment:

Amend H. B. No. 89 by adding in line 60, page 2, after the word "now" this: "or that hereafter may be."

WOODRUFF.

Read and adopted by the following vote:

Yeas—28.

Beck.	Neal.
Burns.	Oneal.
Collie.	Pace.
Cotten.	Poage.
Davis.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Blackert. Sulak.
Fellbaum.

Read third time as amended and finally passed by the following vote:

Yeas—14.

Collie.	Rawlings.
Davis.	Redditt.
Duggan.	Regan.
Hornsby.	Sanderford.
Martin.	Shivers.
Moore.	Small.
Neal.	Stone.

Nays—11.

Beck.	Oneal.
Burns.	Pace.
Cotten.	Poage.
DeBerry.	Westerfeld.
Hill.	Woodruff.
Holbrook.	

Present—Not Voting.

Isbell.

Absent—Excused.

Blackert.	Sulak.
Fellbaum.	Van Zandt.
Hopkins.	

Reason for Votes.

I vote "no" on final passage of H. B. 89 because my amendment, though it got a big majority vote, failed on account of the fact that under the rules it had to get a two-thirds vote. The bill as finally passed without my amendment will cause a great financial loss to Texas.

PACE.

I vote against the above bill for the reason stated above.

COTTEN.

Motion to Reconsider.

Senator Woodruff moved to reconsider the vote by which H. B. No. 89 was finally passed and spread on the Journal.

Motion to Table.

Senator Small moved to table the motion to reconsider.

Senator Small withdrew his motion to table.

H. C. R. No. 137.

Senator Neal received unanimous consent to suspend the regular order of business and take up:

By Mr. Leonard:

H. C. R. No. 137, Suspending Joint Rules Nos. 23, 24 and 32 of the House and Senate for the purpose of consideration in both Houses of H. B. No. 999.

Senator Neal asked unanimous consent that the Senate rule requiring resolutions to be referred to a committee be suspended, and that H. C. R. No. 137 be taken up and considered at this time.

Unanimous consent was granted.

H. C. R. No. 137 was adopted unanimously.

Senate Bill No. 526.

Senator Hornsby received unanimous consent to suspend the regular order of business and take up S. B. No. 526.

The Chair laid before the Senate on its second reading the following bill:

By Senator Hornsby:

S. B. No. 526, A bill to be entitled "An Act transferring the use and possession of 16.66 acres of land out of the George W. Spear Headright League adjoining Camp Mabry in

Travis County, Texas, title to which is now in the State of Texas, authorizing the Highway Department to pay the Adjutant General's Department the sum of Thirty-two Hundred (\$3200.00) Dollars, making an appropriation to the Adjutant General's Department of such sum so received, and authorizing the Adjutant General's Department to purchase for the State of Texas a suitable right-of-way and entrance to Camp Mabry, and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment.

On motion of Senator Hornsby the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 526 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Neal.
Burns.	Oneal.
Collie.	Pace.
Cotten.	Poage.
Davis.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Blackert.	Sulak.
Fellbaum.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Neal.
Burns.	Oneal.
Collie.	Pace.
Cotten.	Poage.
Davis.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Blackert. Sulak.
Fellbaum.

House Bill No. 187.

Senator Rawlings received unanimous consent to suspend the regular order of business and take up H. B. No. 187.

The Chair laid before the Senate the following bill:

By Mr. Jones et al.:

H. B. No. 187, A bill to be entitled "An Act to provide for creating Firemen's Relief and Pension Fund in the State of Texas and in all incorporated cities and towns, thereof, having a regularly organized fire department with fire fighting equipment or apparatus of the value of one hundred dollars (\$100) or more therein; levying and assessing a designated tax of 2.6 per centum of receipts, less return premiums paid policy holders, collected or received from all fire and other kinds of insurance, except life insurance, and appropriating the proceeds of such tax to such Firemen's Relief and Pension Fund, etc., and declaring an emergency."

On motion of Senator Rawlings the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 187 was put on its second reading by the following vote:

Yeas—28.

Beck.	Neal.
Burns.	Oneal.
Collie.	Pace.
Cotten.	Poage.
Davis.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Blackert. Sulak.
Fellbaum.

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Rawlings the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 187 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Neal.
Burns.	Oneal.
Collie.	Pace.
Cotten.	Poage.
Davis.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Blackert. Sulak.
Fellbaum.

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Neal.
Burns.	Oneal.
Collie.	Pace.
Cotten.	Poage.
Davis.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Blackert. Sulak.
Fellbaum.

House Bill No. 736.

The Chair laid before the Senate on its second reading the following bill which had been made special order on the calendar:

By Mr. Roane et al.:

H. B. No. 736, A bill to be entitled

"An Act repealing Section 7, Section 14 and Section 29, of House Bill No. 122, Chapter 116, General Laws of the Forty-third Legislature, Regular Session, and inserting new sections known as Section 7, Section 14, and Section 29 therein; amending Section 3, Section 4, Section 5, Section 6, Section 8, Section 9, Section 10, Section 11, Section 12, Section 13, Section 18, Section 25, Section 26, and Section 28 of said Act; providing the creation of a beer tax fund and that refunds and stamp redemptions be made from such fund before allocation; providing for issuance of refund warrants with limitation; providing an appropriation for the payment of refunds and stamp redemptions, if such be necessary, etc."

Read second time and pending.

House Bill No. 990.

Senator Pace received unanimous consent to suspend the regular order of business and take up H. B. No. 990.

By Mr. Stevenson:

H. B. No. 990, A bill to be entitled "An Act requiring a hunting license of all those over seventeen years of age hunting in certain counties; requiring a fishing license of all those over seventeen years of age fishing in certain counties; fixing the fees for said licenses and the fee to be retained by the collecting officer; etc., and declaring an emergency."

(With committee substitute.)

The committee report recommending that the bill be printed was adopted by unanimous consent.

The committee substitute was adopted by viva voce vote.

On motion of Senator Pace the caption was amended to conform to the body of the bill by viva voce vote.

The bill was read second time as amended and passed to third reading.

On motion of Senator Pace the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 990 was put on its third reading and final passage by the following vote:

Yeas—26.

Beck.	DeBerry.
Burns.	Duggan.
Cotten.	Hill.
Davis.	Holbrook.

Hopkins.
Hornsby.
Isbell.
Martin.
Moore.
Neal.
Oneal.
Pace.
Poage.

Rawlings.
Regan.
Sanderford.
Shivers.
Small.
Stone.
Van Zandt.
Westerfeld.
Woodruff.

Nays—2.

Collie.

Redditt.

Absent—Excused.

Blackert.
Fellbaum.

Sulak.

Read third time as amended and finally passed by the following vote:

Yeas—12.

Beck.
Cotten.
Holbrook.
Hornsby.
Isbell.
Martin.

Moore.
Neal.
Pace.
Regan.
Shivers.
Small.

Nays—10.

Burns.
Collie.
DeBerry.
Hill.
Oneal.

Rawlings.
Redditt.
Van Zandt.
Westerfeld.
Woodruff.

Present—Not Voting.

Poage.

Absent.

Davis.
Duggan.

Sanderford.
Stone.

Absent—Excused.

Blackert.
Fellbaum.

Hopkins.
Sulak.

Motion to Recess.

Senator Woodruff, at 5:40 o'clock p. m., moved that the Senate recess until 8 o'clock p. m., tonight.

The motion to recess pending.

House Bill No. 670.

Senator Hill received unanimous consent to suspend the regular order of business and take up H. B. No. 670.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Latham:

H. B. No. 670, A bill to be entitled "An Act amending Article 3902 of the Revised Civil Statutes of 1925, as amended by Chapter 214, Acts of the Regular Session of the Forty-second Legislature, as amended by Chapter 220, Acts of the Regular Session of the Forty-third Legislature, by adding a new section providing that in all counties having a population of less than twenty-five thousand (25,000) inhabitants, according to the last preceding Federal Census, and having an assessed valuation of taxable property in excess of seventy-five million dollars (\$75,000,000), according to the last preceding tax roll approved as provided by law, and having two or more judicial district courts, the county commissioners court may allow the district clerk at least two deputies to wait on said courts; etc., and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Hill the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 670 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Neal.
Burns.	Oneal.
Collie.	Pace.
Cotten.	Poage.
Davis.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Blackert.	Sulak.
Fellbaum.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Cotten.
Burns.	Davis.
Collie.	DeBerry.

Duggan.	Poage.
Hill.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Sanderford.
Isbell.	Shivers.
Martin.	Small.
Moore.	Stone.
Neal.	Van Zandt.
Oneal.	Westerfeld.
Pace.	Woodruff.

Absent—Excused.

Blackert.	Sulak.
Fellbaum.	

House Bill No. 85.

Senator Rawlings sent up the following Conference Committee report on H. B. No. 85:

Committee Room,

Austin, Texas, May 7, 1935.

Hon. Walter F. Woodul, President of the Senate.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your Conference Committee appointed to adjust the differences between the two houses on House Bill No. 85, have had the same under consideration, and we recommend that said bill be passed in the form as attached hereto.

RAWLINGS,

MOORE,

PACE,

COLLIE,

REDDITT,

On the part of the Senate.

CELAYA,

ALEXANDER,

GIBSON,

McCALLA,

DUVALL,

On the part of the House.

By Duvall. H. B. No. 85.

A BILL

to be entitled

An Act to amend Article 1650 of the Revised Civil Statutes of Texas, of 1925, with respect to the authority of the County Auditor to appoint assistants; providing for oath and bond of assistants; providing for an application by the County Auditor to the District Judges having jurisdiction setting forth number, qualifications, duties and compensation of such assistants; providing for approval

and certification of such appointments to the Commissioners Court by the District Judges having jurisdiction; providing for payment for services of such assistants; limiting the number of assistants in certain counties; providing for appointment of temporary assistants in cases of bona fide emergencies; providing for removal of assistants by the County Auditor; providing for stationery, books, supplies, equipment, telephone and postage for such auditors in all counties having a County Auditor; repealing all laws in conflict herewith, but providing that nothing herein shall repeal Article 1673 as amended by Chapter 175, Acts of Forty-third Legislature, Regular Session; providing that if any part or section of this Act shall be held unconstitutional, it shall not in anywise affect the remaining part of same, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 1650 of the Revised Civil Statutes of Texas, of 1925, be and the same is hereby amended so as to read hereafter as follows:

"Article 1650. The County Auditor of any county of this State may, at any time, with the consent of the District Judge or District Judges having jurisdiction as hereinafter provided, appoint a first assistant and other assistants who shall be authorized to discharge such duties as may be assigned to them by the County Auditor and provided for by law. In counties where only one assistant is appointed, such assistant shall be authorized to act for the County Auditor during his absence or unavoidable detention with respect to such duties as are required by law of the County Auditor. In counties in which more than one assistant shall be appointed, the County Auditor may designate the assistant who shall be authorized to act for him during his absence or unavoidable detention. All of said assistants shall take the usual oath of office for faithful performance of duty and may be required to give such bond as the County Auditor may determine, which bond shall be paid for by the county and shall run in favor of the county and of the

County Auditor as their interest may appear.

"The County Auditor shall prepare a list of the number of deputies sought to be appointed, their duties, qualifications and experience, and the salaries to be paid each, and shall certify the list to the District Judge, or in the event of more than one District Judge in the county, to the District Judges, and the District Judge or the District Judges shall then carefully consider the application for the appointment of said assistants and may make all necessary inquiries concerning the qualifications of the persons named, the positions sought to be filled and the reasonableness of the salaries requested, and if, after such consideration, the District Judge, or in the event of more than one District Judge, a majority of the District Judges shall approve the appointments sought to be made or any number thereof, he or they shall prepare a list of the appointees so approved and the salaries to be paid each and certify said list to the Commissioners Court of said county. The Commissioners Court shall thereupon order the amount paid from the General Fund of said county upon the performance of the services; and said Court shall appropriate adequate funds for the purpose; provided that the total number of assistants allowed to any county under this Article shall not exceed two (2) assistants in counties having less than fifty thousand (50,000) inhabitants, one assistant in counties having not less than fifty-three thousand, nine hundred and thirty-six, (53,936), and not more than fifty-four thousand (54,000) inhabitants according to the last preceding Federal Census, four (4) assistants in counties having between fifty thousand (50,000) and one hundred thousand (100,000) inhabitants, six (6) assistants in counties having between one hundred thousand (100,000) and one hundred and fifty thousand (150,000) inhabitants, ten (10) assistants in counties having between one hundred and fifty thousand (150,000) and two hundred and seventy-five thousand (275,000) inhabitants, and fifteen (15) assistants in counties having more than two hundred and seventy-five thousand (275,000) inhabitants,

in each instance according to the last preceding or any future Federal Census, exclusive in each instance of the first assistant, and such temporary assistants as may be needed in cases of bona fide emergencies, the number of such temporary assistants, their salaries and the duration of employment to be recommended by the County Auditor but to be determined by the District Judge or by a majority of the District Judges as the occasion may require, provided in counties having three hundred and thirty thousand (330,000) inhabitants or more according to the last preceding or any future Federal Census in like manner the Judges of the District Courts may authorize the appointment of additional regular assistants when in their judgment a necessity exists therefor. The County Auditor shall have the right to discontinue the services of any assistant employed in accordance with the provisions of this Article, but no assistant shall be employed except in the manner herein provided. The District Judge or District Judges giving consent to the Auditor to appoint an assistant or assistants shall annually have the right to withdraw such consent, and change the number of assistants permitted.

"The County Auditor shall be authorized to provide himself with all necessary ledgers, books, records, blanks, stationery, equipment, telephone and postage at the county's expense, but all purchases thereof shall be made in the manner provided for by law."

Sec. 2. All laws or parts of laws in conflict herewith are hereby repealed, provided that nothing herein contained shall be held to repeal Article 1673 of the Revised Civil Statutes of Texas, of 1925, as amended by the Acts of the Forty-third Legislature, 1933, Chapter 175, Regular Session, or Senate Bill 152, Chapter 15, Special Laws of the Regular Session, 1931.

Sec. 3. Provided that if any part or section of this Act shall be held unconstitutional, it shall not in anywise affect the remaining part of same.

Sec. 4. The fact that the present law regarding the appointment of assistants to the County Auditor and fixing their salaries places such re-

sponsibility upon officials who by law must be audited by the County Auditor and his assistants, thereby jeopardizing the efficiency of said auditing department and due to the fact that counties have no lawful authority to procure necessary equipment for auditing departments, create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Read.

On motion of Senator Rawlings the Conference Committee report on H. B. No. 85 was adopted by the following vote:

Yeas—27.

Beck.	Neal.
Burns.	Oneal.
Collie.	Pace.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Van Zandt.
Isbell.	Westerfeld.
Martin.	Woodruff.
Moore.	

Nays—1.

Poage.

Absent—Excused.

Blackert.	Sulak.
Fellbaum.	

Senate Resolution No. 96.

Senator Poage received unanimous consent to suspend the regular order and sent up S. R. No. 96.

Whereas, The attention of the Senate has been called to a number of greivous and allegedly illegal practices now and heretofore engaged in by public officials in various sections of this State; and

Whereas, The financial condition of the State is dependent upon the honest enforcement of its revenue laws; and

Whereas, There have been reported many wide-spread evasions of Texas laws and many violations of other laws of the State, and many of such violations and evasions are alleged to have been committed with the knowledge and connivance of various officers in this State; and

Whereas, The Legislature will shortly adjourn and there should be some restraining agency existing during the interim between adjournment of this Legislature and the convening of the next; and

Whereas, Past experience has proven that a saving of millions of dollars may be made to the tax payers by the existence at all times of such restraining authority. Now therefore, be it

Resolved by the Senate

Section 1. That the President of the Senate be and he is hereby authorized to appoint a committee of five members of the Senate to sit at such times and places between this date and the date of the convening of the Regular Session of the Forty-fifth Legislature as may to said committee seem necessary and proper, and which committee shall continue the inquiries heretofore begun relative to the application of the fee system in Texas, and relative to the operation of the apportionment of the available school fund, and to inquire into tax delinquencies and collections and any and all other matters pertaining to or affecting the revenue of the State government and the expenditures of said taxes, fees and assessments, and to inquire into other affairs and activities of governmental departments and institutions of whatever kind and character, as such activities affect the financial or other welfare of the citizens of Texas.

Sec. 2. That said committee shall have the power to formulate its own rules of procedure and evidence, and to provide for its own hours for meeting and adjourning. Sessions of said committee shall be open to the public, except at such times as the committee, by a majority vote, may determine to hold an executive session. The chairman of said committee shall be elected by a majority vote of the members of said committee, and the committee shall appoint its own secretary and employees, and its sergeant-at-arms.

Sec. 3. That the committee shall

have power to issue process for witnesses to any place in this State, and to compel their attendance, and to produce all books and records, and upon disobedience of any subpoena the said committee shall have power to issue attachments which may be addressed to and served by either the sergeant-at-arms appointed by said committee or any sheriff or any constable of this State. Said committee shall have power to inspect and make copies of any books, records or files of departments and institutions and any and all officers and/or employees of departments and institutions under investigation by said committee, and of any county or political subdivision of the State, and shall also have power to examine and audit the books of any person, firm or corporation having dealings with departments and institutions and any and all officers and/or employees of the departments and institutions under investigation by said committee. The committee shall have power to administer oaths and affirmations and fix the bonds of attached witnesses; and the committee shall further have all powers necessary in order to accomplish the purpose for which it is appointed.

Sec. 4. The witnesses attending said committee under process shall be allowed the same mileage and per diem as is allowed witnesses in the trial of criminal cases in the district court.

Sec. 5. Said committee shall have power and authority to employ and compensate all necessary experts, investigators, stenographers, clerks, auditors and all other necessary employees, and it shall be the duty of said committee to make and keep a record of its investigation.

Sec. 6. That said committee may call upon the Attorney General's Department, Auditing Department, and all other departments for assistance and advice and it shall be the duty of the Attorney General's Department to render opinions, give counsel and assistance to said committee upon request of the chairman or members of said committee.

Sec. 7. That said committee shall begin and complete its investigation at the earliest practicable moment and shall submit a report in writing to the Forty-fifth Legislature. The compensation and expenses herein provided for incident

to the work of such committee shall be paid out of the appropriation for mileage and per diem and contingent expenses of the Regular Session of the Forty-fourth Legislature, upon sworn account of the persons entitled to such pay, when approved by the chairman of said committee, and sufficient money is hereby appropriated out of the mileage and per diem and contingent fund of said regular session of the Forty-fourth Legislature to meet the payment of such per diem and expenses of the members of said committee, witnesses, fees, and other expenses incident to said investigation.

Sec. 8. Said committee may include in its report its recommendation of any legislation that should be enacted or other action that should be taken.

Read and referred to the Committee on State Affairs.

Recess.

The motion to recess prevailed by viva voce vote, at 5:50 o'clock p. m.

After Recess.

The Senate met at 8:00 o'clock p. m., pursuant to recess, and was called to order by President Pro Tem. K. M. Regan.

Message From the House.

The Chair recognized the Doorkeeper, who introduced a messenger from the House, with the following message:

Hall of the House of Representatives.
Austin, Texas, May 8, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution and bill:

S. C. R. No. 61, Suspending Joint Rules 22, 24, and 32 for the consideration and finally disposed of, S. B. No. 355.

H. B. No. 777, A bill to be entitled "An Act making appropriations to pay miscellaneous claims out of the General Fund; authorizing the payment of certain sums out of the Highway Fund; authorizing payment of said miscellaneous claims on the taking effect of this Act, and declaring an emergency."

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

House Bill No. 348.

Senator Woodruff received unanimous consent to suspend the regular order of business and take up H. B. No. 348.

The Chair laid before the Senate on its second reading, the following bill:

By Mr. Fain:

H. B. No. 348, A bill to be entitled "An Act to regulate the quality of milk sold, or offered or exposed for sale, to prevent the sale of any milk from which anything has been extracted or to which anything has been added, except butterfat, and to prescribe a minimum butterfat content for milk which is herein defined; to provide that containers for milk shall truthfully state the minimum butterfat content, etc., and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Woodruff, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 348 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed by viva voce vote.

Bill Referred.

H. B. No. 777 was referred to the Committee on Finance.

House Bill No. 455.

Senator Redditt received unanimous consent to suspend the regular order and take up H. B. No. 455.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Cooper, et al:

H. B. No. 455, A bill to be entitled "An Act amending Article 6032, Revised Civil Statutes of 1925, as amended by Section 22, Chapter 26, Acts First Called Session, Forty-second Legislature, amending Section 11, Chapter 162, Acts Regular Session, Forty-third Legislature; and amending Chapter 43, H. B. No. 43, Acts of the Second Called Session of the Forty-third Legislature, 1934; appropriating the proceeds of the tax derived under the provisions hereof; authorizing the Railroad Commission to employ such help and to incur such other expenses as are necessary to enforce the conservation laws of this State relating to oil and gas and the orders of the Railroad Commission promulgated pursuant thereto, etc., and declaring an emergency."

(With committee substitute.)

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The Committee report recommending that the bill be not printed was adopted by unanimous consent.

The committee substitute was adopted.

The bill was read second time as substituted and passed to third reading.

On motion of Senator Redditt, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 455 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Isbell.
Blackert.	Martin.
Burns.	Moore.
Collie.	Neal.
Cotten.	Oneal.
Davis.	Pace.
DeBerry.	Poage.
Duggan.	Rawlings.
Hill.	Redditt.
Holbrook.	Regan.
Hopkins.	Sanderford.
Hornsby.	Shivers.

Small.
Stone.
Sulak.

Van Zandt.
Westerfeld.
Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent.

DeBerry.

Absent—Excused.

Fellbaum.

House Bill No. 783.

Senator Westerfeld received unanimous consent to suspend the regular order and take up H. B. No. 783.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Colquitt:

H. B. No. 783, A bill to be entitled "An Act amending Article 7924 of Chapter 4 of the Revised Civil Statutes of 1925, enlarging the powers of eminent domain of fresh water supply districts so as to enable them to use existing pipe lines, upon the payment of fair and just compensation, where such use will not impair the supply or service of the owner; and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Westerfeld, the constitutional rule requiring bills to be read on three several days

was suspended and H. B. No. 783 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent.

DeBerry.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—26.

Beck.	Pace.
Blackert.	Poage.
Burns.	Rawlings.
Collie.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Neal.	Westerfeld.
Oneal.	Woodruff.

Nays—3.

Cotten.	Moore.
Holbrook.	

Absent—Excused.

DeBerry. Fellbaum.

House Bill No. 715.

Senator Moore received unanimous consent to suspend the regular order of business and take up H. B. No. 715.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Howard:

H. B. No. 715, A bill to be entitled "An Act to amend Chapter 207 of the Acts of the Forty-first Legislature, otherwise known as Article 3899b (which authorizes the commissioners' courts to pay from county funds various expenses of certain officers), by adding thereto a section to be known as Section 3 of said Act, providing that in all counties having a population in excess of three hundred and fifty-five thousand (355,000) inhabitants, according to the preceding or any future Federal census, the district attorney or criminal district attorney may be allowed, by order of the commissioners' court of his county, such amount as said court may deem necessary to pay for, or aid in, the proper administration of the duties of such office, not to exceed twenty-five hundred dollars (\$2,500) in any one calendar year, etc., and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Moore, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 715 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Collie.
Blackert.	Davis.
Burns.	Duggan.

Hill.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Sanderford.
Isbell.	Shivers.
Martin.	Small.
Moore.	Stone.
Neal.	Sulak.
Oneal.	Van Zandt.
Pace.	Westerfeld.
Poage.	Woodruff.

Nays—1.

Cotten.

Absent—Excused.

DeBerry.

Fellbaum.

House Bill No. 278.

Senator Small received unanimous consent to suspend the regular order of business and take up H. B. No. 278.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Tarwater:

H. B. No. 278, A bill to be entitled "An Act ratifying and confirming a compact entered into by and between representatives of the State of Texas and the State of New Mexico, authorized by Act of the Regular Session of the Forty-second Legislature, and approved by the Governor on May 27, 1931, as shown in Chapter 251, Acts of the Forty-second Legislature, and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Small, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 278 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Martin.
Blackert.	Moore.
Burns.	Neal.
Collie.	Oneal.
Cotten.	Pace.
Davis.	Poage.
Duggan.	Rawlings.
Hill.	Redditt.
Holbrook.	Regan.
Hopkins.	Sanderford.
Hornsby.	Shivers.
Isbell.	Small.

Stone.	Westerfeld.
Sulak.	Woodruff.
Van Zandt.	

Absent—Excused.

DeBerry.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry.

Fellbaum.

House Bill No. 601.

Senator Sanderford received unanimous consent to suspend the regular order of business and take up H. B. No. 601.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Duval:

H. B. No. 601, A bill to be entitled "An Act making it unlawful for any person, firm, association, or corporation to pack for sale, sell or offer for sale, wheat flour or other cereal, flour, and corn meal only in standardized packages; providing for the size and net weight of said packages; providing for the net weight, name of manufacturer and the name of the place where milled to be printed on the outside of each package, and making it unlawful for wheat flour, other cereal flour and corn meal to be packed for sale, offered for sale, or sold within this State unless it shall be so labeled, etc., and declaring an emergency."

(With committee amendment.)

Motion to Table.

Senator Rawlings moved to table the committee amendment.

The motion prevailed by viva voce vote.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading by the following vote:

Yeas—16.

Burns.	Neal.
Collie.	Rawlings.
Cotten.	Regan.
Davis.	Sanderford.
Hopkins.	Shivers.
Hornsby.	Small.
Martin.	Sulak.
Moore.	Westerfeld.

Nays—6.

Hill.	Oneal.
Holbrook.	Poage.
Isbell.	Woodruff.

Absent.

Duggan.

Absent—Excused.

Beck.	Pace.
Blackert.	Redditt.
DeBerry.	Stone.
Fellbaum.	Van Zandt.

Senator Sanderford moved that the constitutional rule requiring bills to be read on three several days be suspended and H. B. No. 601 be put on its third reading and final passage.

The motion lost, by the following vote:

Yeas—18.

Burns.	Neal.
Collie.	Rawlings.
Cotten.	Regan.
Davis.	Sanderford.
Hopkins.	Shivers.
Hornsby.	Small.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.

Nays—5.

Hill.	Poage.
Holbrook.	Woodruff.
Oneal.	

Absent—Excused.

Beck.	Fellbaum.
Blackert.	Pace.
DeBerry.	Redditt.
Duggan.	Stone.

House Bill No. 188.

Senator Martin received unanimous consent to suspend the regular order of business and take up H. B. No. 188.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Hunter, et al:

H. B. No. 188, A bill to be entitled "An Act to declare the validity of certain indebtedness arising out of the construction of State Highway No. 2 in the County of Johnson; to place such indebtedness on a parity with bonds, warrants, and other evidence of indebtedness heretofore authorized to be paid out of the 'county and district road highway fund,' etc., and declaring an emergency."

Senator Martin sent up the following amendments:

Amend H. B. No. 188, Section 2, as substituted by House amendment, by substituting a semi-colon for the period at the end of the last word "credit" in line 18, page 4, in said substituted section, and adding thereto the following:

"provided, that before the Board of County and District Road Indebtedness shall be required to recognize said claims Johnson County shall acknowledge such indebtedness and shall issue warrants, or other evidences of such indebtedness to said claimants, with such maturity dates as shall be approved by the Board of County and District Road Indebtedness."

MARTIN.

Read and adopted.

Amend H. B. No. 188, Section 1, by adding after the comma following the word "out" in line 21, page 4, of the bill as printed in the House, the following:

"or such portion of said amount as may be certified by the Board of County and District Road Indebtedness as having been actually expended in the construction of said State Highway No. 2."

MARTIN.

Read and adopted.

"Amend the caption to conform."
MARTIN.

Read and adopted.

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time, as amended, and passed to third reading.

On motion of Senator Martin, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 188 was put on its third reading and final passage by the following vote:

Yeas—27.

Beck.	Neal.
Blackert.	Pace.
Burns.	Rawlings.
Collie.	Redditt.
Cotten.	Regan.
Davis.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Isbell.	Westerfeld.
Martin.	Woodruff.
Moore.	

Nays—2.

Oneal.	Poage.
--------	--------

Absent—Excused.

DeBerry.	Fellbaum.
----------	-----------

Read third time and finally passed by the following vote:

Yeas—26.

Beck.	Neal.
Blackert.	Pace.
Burns.	Rawlings.
Collie.	Redditt.
Cotten.	Regan.
Davis.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Nays—3.

Holbrook.	Poage.
Oneal.	

Absent—Excused.

DeBerry.	Fellbaum.
----------	-----------

House Bill No. 985.

Senator Shivers received unanimous consent to suspend the regular order of business and take up H. B. No. 985.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Nicholson and Mr. McKee:

H. B. No. 985, A bill to be entitled "An Act fixing the fees and salary of the official shorthand reporter of the County Court of Jefferson County at Law, Jefferson County, Texas, and providing the manner of payment; and declaring an emergency."

The rule requiring committee re-

ports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Shivers, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 985 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry.	Fellbaum.
----------	-----------

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry.	Fellbaum.
----------	-----------

House Bill No. 982.

Senator Stone received unanimous consent to suspend the regular order of business and take up H. B. No. 982.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Ash:

H. B. No. 982, A bill to be entitled "An Act making it unlawful to use seines or nets except those of certain dimensions of mesh for taking fish from waters in Bastrop County; providing dimensions of mesh of minnow seines; setting the time for use of such nets or seines; repealing all laws in conflict herewith; providing a penalty for violation thereof, and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Stone, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 982 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Hornsby.
Blackert.	Isbell.
Burns.	Martin.
Collie.	Moore.
Cotten.	Neal.
Davis.	Oneal.
Duggan.	Pace.
Hill.	Poage.
Holbrook.	Rawlings.
Hopkins.	Redditt.

Regan.
Sanderford.
Shivers.
Small.
Stone.

Sulak.
Van Zandt.
Westerfeld.
Woodruff.

Absent—Excused.

DeBerry. Fellbaum.

House Bill No. 987.

Senator Regan received unanimous consent to suspend the regular order of business and take up H. B. No. 987.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Hankamer:

H. B. No. 987, A bill to be entitled "An Act authorizing the Board of Regents of the University of Texas to issue surface leases for a term not exceeding 99 years to any University lands located in El Paso County, Texas, and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Regan, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 987 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry.	Fellbaum.
----------	-----------

House Bill No. 847.

Senator Poage received unanimous consent to suspend the regular order of business and take up H. B. No. 847.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Hodges:

H. B. No. 847, A bill to be entitled "An Act prohibiting the transportation by any one person at any one time of more than one hundred twenty-five (125) minnows taken from the waters of Falls County, Texas, beyond the borders of such county; providing a penalty; and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Poage, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 847 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Hornsby.
Blackert.	Isbell.
Burns.	Martin.
Collie.	Moore.
Cotten.	Neal.
Davis.	Oneal.
Duggan.	Pace.
Hill.	Poage.
Holbrook.	Rawlings.
Hopkins.	Redditt.

Regan.	Sulak.
Sanderford.	Van Zandt.
Shivers.	Westerfeld.
Small.	Woodruff.
Stone.	

Absent—Excused.

DeBerry.	Fellbaum.
----------	-----------

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry.	Fellbaum.
----------	-----------

House Bill No. 427.

Senator Rawlings received unanimous consent to suspend the regular order of business and take up H. B. No. 427.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Roberts:

H. B. No. 427, A bill to be entitled "An Act amending Article 3899 of the Revised Civil Statutes of 1925, as amended by Acts of the Forty-third Legislature, passed in its Regular Session, the same being Section 4, of Chapter 220, of S. B. No. 209; providing for the filing of an itemized sworn statement of all of the actual and necessary expenses incurred by certain officers; providing for an audit by the county auditor of commissioners' court; providing for approval or rejection, etc., and declaring an emergency."

Senator Hopkins sent up the following amendment:

Amend H. B. No. 427 by striking

out in Section 1, Article 3889, the word "current," before the word "fees," and inserting in lieu thereof, after the word "fees," in office.

Amend the caption to conform.

HOPKINS.

Read and adopted.

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time, as amended, and passed to third reading.

On motion of Senator Rawlings, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 427 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Davis.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Nays—1.

Cotten.

Absent—Excused.

DeBerry. Fellbaum.

House Bill No. 967.

Senator Oneal received unanimous consent to suspend the regular order of business and take up H. B. No. 967.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Harris:

H. B. No. 967, A bill to be entitled "An Act to repeal H. B. No. 557, Acts of the Regular Session of the Forty-third Legislature, which provides for a closed season on quail in Archer County for a period of three years, and prescribing a penalty for violation thereof, and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Oneal, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 967 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry.	Fellbaum.
----------	-----------

H. C. R. No. 129.

The Chair laid before the Senate the following resolution:

By Mr. Celeya:

H. C. R. No. 129, "Suspending Joint Rules Nos. 23, 24 and 32 of the House and Senate, for the purpose of considering until finally disposed of H. B. No. 944."

Senator Neal moved that the Senate Rule requiring resolutions to be referred to a committee be suspended, and that H. C. R. No. 129 be taken up and considered at this time.

The motion prevailed unanimously.

H. C. R. No. 129 was adopted by viva voce vote.

House Bill No. 938.

Senator Collie received unanimous consent to suspend the regular order of business and take up H. B. No. 938.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Broyles:

H. B. No. 938, A bill to be entitled "An Act authorizing county attorneys in counties of not less than 30,000 nor more than 50,000 inhabitants, to appoint a stenographer, upon application to the commissioners court for authority; providing maximum compensation to be paid such stenographer; providing such compensation shall be paid out of fees of office of such county attorneys, and declaring an emergency."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Collie, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 938 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry.	Fellbaum.
----------	-----------

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry.	Fellbaum.
----------	-----------

House Bill No. 49.

Senator Neal received unanimous consent to suspend the regular order of business and take up H. B. No. 49.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Leonard:

H. B. No. 49, A bill to be entitled "An Act to amend Article 2956, Revised Civil Statutes of 1925, as amended by the Regular Session of the Forty-second Legislature, and as amended by the Regular Session of the Forty-third Legislature, and declaring an emergency."

(With committee amendment.)

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The committee amendment was adopted.

The bill was read second time, as amended, and passed to third reading.

On motion of Senator Neal, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 49 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Moore.
Blackert.	Neal.
Burns.	Oneal.
Collie.	Pace.
Cotten.	Poage.
Davis.	Rawlings.
Duggan.	Redditt.
Hill.	Regan.
Holbrook.	Sanderford.
Hopkins.	Shivers.
Hornsby.	Small.
Isbell.	Stone.
Martin.	Sulak.

Van Zandt.
Westerfeld.

Woodruff.

Absent—Excused.

DeBerry.

Fellbaum.

House Bill No. 914.

Senator Moore received unanimous consent to suspend the regular order of business and take up H. B. No. 914.

The Chair laid before the Senate the following bill:

By Mr. Howard:

H. B. No. 914, A bill to be entitled "An Act to create the San Jacinto River Conservation and Reclamation District under the authority of Section 59, of Article XVI, of the Constitution of Texas, and defining the powers and duties of the said district; providing for temporary directors and organization and operation of the district; and the authority and duties of said temporary directors, etc., and declaring an emergency."

On motion of Senator Moore, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 914 was put on its second reading by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry.

Fellbaum.

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Moore, the

constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 914 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry. Fellbaum.

House Bill No. 891.

Senator Small received unanimous consent to suspend the regular order of business and take up H. B. No. 891.

The Chair laid before the Senate on its second reading, the following bill:

By Mr. Stanfield:

H. B. No. 891, A bill to be entitled "An Act authorizing the appoint-

ment of assistant county attorneys in counties containing a population of more than forty thousand (40,000) and less than seventy-five thousand (75,000), and containing a city of more than thirty-five thousand (35,000), such assistants to be compensated by the county, and providing for the compensation of such assistants, and the means, method and manner of paying the same, and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Small, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 891 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry. Fellbaum.

Senate Bill No. 181.

Senator Hornsby received unanimous consent to suspend the regular order of business and take up S. B. No. 181.

The Chair laid before the Senate on its second reading the following bill:

By Senator Hornsby:

S. B. No. 181, A bill to be entitled "An Act making an appropriation to remove the remains of certain Texas patriots and providing for monuments for such patriots, and declaring an emergency."

(With committee amendment.)

The committee report recommending that the bill be printed was adopted by unanimous consent.

The committee amendment was adopted.

The bill was read second time, as amended, and passed to engrossment.

On motion of Senator Hornsby, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 181 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Burns.
Blackert.	Collie.

Cotten.
Davis.
Duggan.
Hill.
Holbrook.
Hopkins.
Hornsby.
Isbell.
Martin.
Moore.
Neal.
Oneal.
Pace.

Poage.
Rawlings.
Redditt.
Regan.
Sanderford.
Shivers.
Small.
Stone.
Sulak.
Van Zandt.
Westerfeld.
Woodruff.

Absent—Excused.

DeBerry. Fellbaum.

House Bill No. 945.

Senator Hopkins received unanimous consent to suspend the regular order of business and take up H. B. No. 945.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Knetsch:

H. B. No. 945, A bill to be entitled "An Act granting to John W. Goodrum, of Guadalupe County, Texas, the right or permission to bring suit against the State of Texas and the State Highway Department in the District Court of Travis County, Texas, and declaring an emergency."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Hopkins, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 945 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Isbell.
Blackert.	Martin.
Burns.	Moore.
Collie.	Neal.
Cotten.	Oneal.
Davis.	Pace.
Duggan.	Poage.
Hill.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Sanderford.

Shivers. Van Zandt.
Small. Westerfeld.
Stone. Woodruff.
Sulak.

Absent—Excused.

DeBerry. Fellbaum.

Read third time and finally passed
by the following vote:

Yeas—29.

Beck. Poage.
Blackert. Pace.
Burns. Oneal.
Collie. Rawlings.
Cotten. Redditt.
Davis. Regan.
Duggan. Sanderford.
Hill. Shivers.
Holbrook. Small.
Hopkins. Stone.
Hornsby. Sulak.
Isbell. Van Zandt.
Martin. Westerfeld.
Moore. Woodruff.
Neal.

Absent—Excused.

DeBerry. Fellbaum.

House Bill No. 896.

Senator Holbrook received unani-
mous consent to suspend the regular
order of business and take up H. B.
No. 896.

The Chair laid before the Senate
on its second reading the following
bill:

By Mr. Leonard:

H. B. No. 896, A bill to be entitled
"An Act authorizing depositories of
public funds, now authorized by law
to pledge securities in lieu of per-
sonal or surety depository bonds, to
pledge Home Owners' Loan Corpora-
tion bonds as such security; provid-
ing this Act shall be cumulative and
in addition to all existing laws re-
lating to depository bonds, and de-
claring an emergency."

Senator Holbrook sent up the fol-
lowing amendment:

Amend H. B. No. 896, by inserting
after the word "corporation" in line
2, Section 1 of the bill, the follow-
ing:

"which are guaranteed both as to
principal and interest by the United

States Government," and amend the
caption to conform.

HOLBROOK.

Read and adopted.

The rule requiring committee re-
ports to lie over one day was sus-
pended by unanimous consent.

The committee report recommend-
ing that the bill be not printed was
adopted by unanimous consent.

The bill was read second time, as
amended, and passed to third read-
ing.

On motion of Senator Holbrook,
the constitutional rule requiring bills
to be read on three several days was
suspended and H. B. No. 896 was
put on its third reading and final
passage by the following vote:

Yeas—29.

Beck. Oneal.
Blackert. Pace.
Burns. Poage.
Collie. Rawlings.
Cotten. Redditt.
Davis. Regan.
Duggan. Sanderford.
Hill. Shivers.
Holbrook. Small.
Hopkins. Stone.
Hornsby. Sulak.
Isbell. Van Zandt.
Martin. Westerfeld.
Moore. Woodruff.
Neal.

Absent—Excused.

DeBerry. Fellbaum.

Read third time and finally passed
by the following vote:

Yeas—29.

Beck. Oneal.
Blackert. Pace.
Burns. Poage.
Collie. Rawlings.
Cotten. Redditt.
Davis. Regan.
Duggan. Sanderford.
Hill. Shivers.
Holbrook. Small.
Hopkins. Stone.
Hornsby. Sulak.
Isbell. Van Zandt.
Martin. Westerfeld.
Moore. Woodruff.
Neal.

Absent—Excused.

DeBerry. Fellbaum.

House Bill No. 712.

Senator Hill received unanimous consent to suspend the regular order of business and take up H. B. No. 712.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Wood:

H. B. No. 712, A bill to be entitled "An Act declaring two-year closed season on wild fox in certain counties; providing for the enforcement of this Act, and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Hill, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 712 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Hornsby.
Blackert.	Isbell.
Burns.	Martin.
Collie.	Moore.
Cotten.	Neal.
Davis.	Oneal.
Duggan.	Pace.
Hill.	Poage.
Holbrook.	Rawlings.
Hopkins.	Redditt.

Regan.	Sulak.
Sanderford.	Van Zandt.
Shivers.	Westerfeld.
Small.	Woodruff.
Stone.	

Absent—Excused.

DeBerry. Fellbaum.

House Bill No. 68.

Senator Neal received unanimous consent to suspend the regular order and take up H. B. No. 68.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Leonard:

H. B. No. 68, A bill to be entitled "An Act authorizing counties, municipalities, political subdivisions and taxing districts to sell to the Reconstruction Finance Corporation, or any other governmental agency, at less than par, and/or to compromise or adjust bonds held by it by selling and/or exchanging the same to the Reconstruction Finance Corporation, or any other governmental agency, at an agreed price which may be less than par, and declaring an emergency."

Senator Oneal sent up the following amendment:

Amend H. B. No. 68 by adding after the word "agency" the following:

"of the United States of America"
ONEAL.

Read and adopted.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time, as amended, and passed to third reading.

On motion of Senator Neal, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 68 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Hill.
Blackert.	Holbrook.
Burns.	Hopkins.
Collie.	Hornsby.
Cotten.	Isbell.
Davis.	Martin.
Duggan.	Moore.

Neal.	Shivers.
Oneal.	Small.
Pace.	Stone.
Poage.	Sulak.
Rawlings.	Van Zandt.
Redditt.	Westerfeld.
Regan.	Woodruff.
Sanderford.	

Absent—Excused.

DeBerry.	Fellbaum.
----------	-----------

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry.	Fellbaum.
----------	-----------

House Bill No. 666.

Senator Duggan received unanimous consent to suspend the regular order and take up H. B. No. 666.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Westfall:

H. B. No. 666, A bill to be entitled "An Act making applicable and available to school districts and municipal corporations which have power to levy and/or collect their own taxes all of the provisions of Title 122 of the Revised Civil Statutes of Texas, 1925, pertaining to the manner of assessment and collection of taxes and enforcement of collection of delinquent taxes, together with all liens, rights, and remedies therein given to the State and county, and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Duggan, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 666 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry.	Fellbaum.
----------	-----------

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry.	Fellbaum.
----------	-----------

House Bill No. 175.

Senator Shivers received unanimous consent to suspend the regular order of business and take up H. B. No. 175.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Jefferson:

H. B. No. 175, A bill to be entitled "An Act providing for the gathering of statistical information on the catch of the various marine products along the Texas coast; providing a penalty and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Shivers, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 175 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry. Fellbaum.

Senate Bill No. 355.

Senator Davis received unanimous consent to suspend the regular order of business and take up S. B. No. 355.

The Chair laid before the Senate on its second reading the following bill:

By Senator Davis:

S. B. No. 355, A bill to be entitled "An Act creating a conservation and reclamation district to be known as the Central Colorado River Authority, pursuant to and for the purpose set forth in Section 59 of Article 16, of the Constitution of the State of Texas, etc., and declaring an emergency."

(With committee amendments.)

Committee Amendments Nos. 2, 3, 4, 6 and 9 were adopted by viva voce vote.

Amend S. B. No. 355 by striking out Sections 17 and 18, which provide for donation and granting by the State of Texas to the Central Colorado River Authority herein created, current State ad valorem taxes that may be collected in Coleman County.

DAVIS.

Read and adopted.

Amend S. B. No. 355, Section 21, by striking out the words "amounts withdrawn to be repaid into the State Treasury out of the first revenues of the district from whatever source derived."

DAVIS.

Read and adopted.

Amend S. B. No. 355 by striking out Committee Amendments Nos. 1, 5, 7 and 8, all of which relate to diversion of State ad valorem taxes.

DAVIS.

Read and adopted.

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time, as amended, and passed to engrossment.

On motion of Senator Davis, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 355 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry.	Fellbaum.
----------	-----------

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry.	Fellbaum.
----------	-----------

S. C. R. No. 62.

The Chair laid before the Senate S. C. R. No. 62.

Be it Resolved by the Senate of the Legislature of Texas, the House of Representatives concurring, That the Joint Rules of the House and Senate, Nos. 23, 24 and 32, be, and they are, hereby suspended for the purpose of considering S. B. No. 107 until same is finally disposed of.

WESTERFELD.

Senator Westerfeld asked unanimous consent that the Senate Rule requiring resolutions to be referred to a committee be suspended, and that S. C. R. No. 62 be taken up and considered at this time.

Unanimous consent was granted. S. C. R. No. 62 was adopted by viva voce vote.

S. C. R. No. 63.

Senator Rawlings received unanimous consent to suspend the regular order of business and take up S. C. R. No. 63.

By Senators Rawlings and Shivers:

Be it resolved by the Senate, the House of Representatives concurring, That Joint Rules 22, 23, 24 and 32 of the House and Senate be suspended in order that Senate Bill No. 45 may be taken up for consideration and final passage.

Read and pending.

House Bill No. 862.

Senator Cotten received unanimous consent to suspend the regular order of business and take up H. B. No. 862.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Steward:

H. B. No. 862, A bill to be entitled "An Act making it an offense for any person to forge the name of any agent, officer or employee of the Railroad Commission of Texas to a permit or tender of the Railroad Commission of Texas relating to crude petroleum oil or natural gas or any product or by-product of either; making it an offense for any person to forge the name of any other person to such a tender or permit; making it an offense for any person to knowingly use such a forged instrument to induce another to handle or transport any crude petroleum oil or natural gas or any product or by-product of either; etc., and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Cotten, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 862 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry.	Fellbaum.
----------	-----------

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry.	Fellbaum.
----------	-----------

House Bill No. 635.

Senator Small received unanimous consent to suspend the regular order of business and take up H. B. No. 635.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Long:

H. B. No. 635. A bill to be entitled "An Act validating, ratifying, approving, and confirming bonds and other instruments or obligations heretofore issued by water control and improvement district, water improvement district, irrigation district, conservation and reclamation

district, navigation district, road district, school district, county, city or incorporated town of this State for public works projects, and declaring an emergency."

(With committee amendment.)

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The committee amendment was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Small, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 635 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry.	Fellbaum.
----------	-----------

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry.	Fellbaum.
----------	-----------

House Bill No. 442.

Senator Burns received unanimous consent to suspend the regular order of business and take up H. B. No. 442.

The Chair laid before the Senate on its second reading the following bill:

By Mr. McKinney:

H. B. No. 442, A bill to be entitled "An Act to fix the salaries and compensation in counties with a population of not less than nine thousand seven hundred and ten (9,710) inhabitants nor more than nine thousand seven hundred and twenty-five (9,725) inhabitants, according to the last Federal census, and counties with a population with not less than eighteen thousand five hundred and twenty-eight (18,528) inhabitants, nor more than eighteen thousand five hundred and fifty (18,550) inhabitants, according to the last Federal census as to population, etc., and declaring an emergency."

(With committee amendment.)

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The committee amendment was adopted.

The bill was read second time as amended and passed to third reading.

On motion of Senator Burns, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 442 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry.	Fellbaum.
----------	-----------

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry.	Fellbaum.
----------	-----------

House Bill No. 591.

Senator Blackert received unanimous consent to suspend the regular order of business and take up H. B. No. 591.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Jefferson:

H. B. No. 591, A bill to be entitled "An Act providing for the sale of State property purchased from funds appropriated to the State Game, Fish, and Oyster Commission; the manner therefor; the disposition to be made of the money from any such sale, and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Shivers, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 591 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Holbrook.
Blackert.	Hopkins.
Burns.	Hornsby.
Collie.	Isbell.
Cotten.	Martin.
Davis.	Moore.
Duggan.	Neal.
Hill.	Oneal.

Pace.	Small.
Poage.	Stone.
Rawlings.	Sulak.
Redditt.	Van Zandt.
Regan.	Westerfeld.
Sanderford.	Woodruff.
Shivers.	

Absent—Excused.

DeBerry.	Fellbaum.
----------	-----------

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry.	Fellbaum.
----------	-----------

House Bill No. 169.

Senator Neal received unanimous consent to suspend the regular order of business and take up H. B. No. 169.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Celaya and Mr. Leonard:

H. B. No. 169, A bill to be entitled "An Act increasing the amount that may be allowed by county boards of trustees to the county superintendents of public instruction for expenditures for office and traveling expenses in counties with a population of not less than seventy-seven thousand, and not more than seventy-seven thousand six hundred, according to the preceding Federal census; repealing all laws or parts of laws, general or special, in conflict therewith, and declaring an emergency."

(With committee amendments.)

The committee report recommend-

ing that the bill be not printed was adopted by unanimous consent.

The committee amendments were adopted.

Amend the caption to conform.

NEAL.

Adopted.

The bill was read second time as amended and passed to third reading.

On motion of Senator Neal, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 169 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry.	Fellbaum.
----------	-----------

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry.	Fellbaum.
----------	-----------

S. C. R. No. 21.

Senator Woodruff received unanimous consent to suspend the regular order of business and take up S. C. R. No. 21.

The Chair laid before the Senate on its second reading the following resolution:

By Senator Woodruff:

S. C. R. No. 21, A concurrent resolution "Relating to the State's claims for refunds of certain arresting and mileage fees paid to sheriffs.

Read and adopted.

House Bill No. 223.

Senator Westerfeld received unanimous consent to suspend the regular order of business and take up H. B. No. 223.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Reed of Dallas:

H. B. No. 223, A bill to be entitled "An Act amending Chapter 116, Acts of the First Called Session of the Forty-third Legislature, and levying an annual occupation tax upon coin-operated vending machines; defining 'coin-operated vending machines'; etc., and declaring an emergency."

(With committee amendments.)

Senator Moore sent up the following amendments:

Amend H. B. No. 223, Senate Committee Amendment No. 1, page 3, line 63, by striking out the words "weighing machine."

MOORE.

Read and adopted.

Amend H. B. No. 223, Senate Committee Amendment No. 1, page 4, by striking out lines 21, 22 and 23.

MOORE.

Read and adopted.

Amend H. B. No. 223, Senate Committee Amendment No. 1, Section 4, page 4, to read as follows:

"Sec. 4. Gas meters, pay telephones, cigarette vending machines, pay toilets installed and used for sanitary purposes and all machines engaged in vending a service are expressly exempt from the provisions of this Act."

MOORE.

Read and adopted.

Amend H. B. No. 223, Senate Committee Amendment No. 1, by adding thereto a new section, to be known as "Section 8-a" and reading as follows:

Sec. 8-a. If for any reason this

bill shall be held to be unconstitutional or void in any manner then and in that event, and only in that event, there is hereby levied in lieu of the taxes hereinabove levied an occupation tax of \$10.00 per year on every coin operated machine or device of every kind and character where the coin used to operate such a machine is a five cent (5c) piece, or coin, or coins, of greater value; and on every machine or device of every kind and character operated with, or by means of a slug or slugs of any kind or character, an occupation tax of \$10.00 per year.

MOORE.

Read and adopted.

Amend committee amendment to H. B. No. 223 by inserting a new section, 6-A by adding at the end of Section 6 a new section known as Sub-section No. A to read as follows:

"Sub-section A. Provided that none of these machines, operated by the insertion of a coin or metallic slug, shall be used for the purpose of offering prizes, either in the form of merchandise or in the form of money."

"Sub-section B. Any owner, as defined in Section 2 who violates the provision of sub-section of Section 6 shall be subject to a fine of not less than two hundred and fifty (\$250) dollars or more than five hundred (\$500) dollars.

COTTEN.

Read and adopted.

Motion to Reconsider.

Senator Moore moved to reconsider the vote by which the amendment by Senator Cotten was adopted.

The motion prevailed by the following vote:

Yeas—15.

Davis.	Poage.
Holbrook.	Regan.
Hopkins.	Sanderford.
Hornsby.	Shivers.
Martin.	Small.
Moore.	Stone.
Neal.	Westerfeld.
Oneal.	

Nays—6.

Burns.	Duggan.
Collie.	Hill.
Cotten.	Woodruff.

Absent—Excused.

Beck.	Pace.
Blackert.	Rawlings.
DeBerry.	Redditt.
Fellbaum.	Sulak.
Isbell.	Van Zandt.

The question recurred on the amendment by Senator Cotten.

Senator Poage sent up the following substitute for the amendment by Senator Cotten.

Amend Section 7 by striking out all of line 61, beginning with the word "however" and by striking out all of lines 62, 63 and 64.

POAGE.

Read and failed of adoption by the following vote:

Yeas—4.

Davis.	Oneal.
Hill.	Poage.

Nays—20.

Burns.	Pace.
Collie.	Rawlings.
Cotten.	Redditt.
Duggan.	Regan.
Holbrook.	Sanderford.
Hopkins.	Shivers.
Hornsby.	Small.
Martin.	Stone.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Beck.	Isbell.
Blackert.	Sulak.
DeBerry.	Van Zandt.
Fellbaum.	

Motion to Table.

Senator Moore moved to table the amendment by Senator Cotten.

The motion lost by the following vote:

Yeas—12.

Duggan.	Rawlings.
Holbrook.	Regan.
Hopkins.	Sanderford.
Hornsby.	Shivers.
Moore.	Small.
Neal.	Westerfeld.

Nays—12.

Burns.	Davis.
Collie.	Hill.
Cotten.	Martin.

Oneal.	Redditt.
Pace.	Stone.
Poage.	Woodruff.

Absent—Excused.

Beck.	Isbell.
Blackert.	Sulak.
DeBerry.	Van Zandt.
Fellbaum.	

The question recurred on the adoption of the amendment by Senator Cotten.

The amendment was lost by the following vote:

Yeas—10.

Burns.	Pace.
Collie.	Poage.
Cotten.	Redditt.
Davis.	Stone.
Oneal.	Woodruff.

Nays—14.

Duggan.	Neal.
Hill.	Rawlings.
Holbrook.	Regan.
Hopkins.	Sanderford.
Hornsby.	Shivers.
Martin.	Small.
Moore.	Westerfeld.

Absent—Excused.

Beck.	Isbell.
Blackert.	Sulak.
DeBerry.	Van Zandt.
Fellbaum.	

Senator Poage sent up the following amendment:

Amend Sec. 7 by striking out all of line 61 beginning with the word "however," and by striking out all of lines 62, 63 and 64.

POAGE.

Read and pending.

On motion of Senator Woodruff the bill and pending amendment were laid on the table subject to call.

Recess.

On motion of Senator Hopkins, the Senate, at 11:10 o'clock p. m., recessed until 10:00 o'clock a. m. Thursday.

APPENDIX.

Committee on Engrossed Bills.
Committee Room,

Austin, Texas, May 8, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 319 carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,

Austin, Texas, May 8, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. C. R. No. 55 carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,

Austin, Texas, May 8, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 532 carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,

Austin, Texas, May 8, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. C. R. No. 47, carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,

Austin, Texas, May 8, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 479 carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,

Austin, Texas, May 8, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 526 carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

Committee Reports.

Committee Room,

Austin, Texas, May 6, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Education, to whom was referred

H. B. No. 833, A bill to be entitled "An Act amending Article 2880, Revised Civil Statutes of Texas, of 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

DUGGAN, Chairman.

Committee Room,

Austin, Texas, May 8, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 938, A bill to be entitled "An Act authorizing county attorneys in counties of not less than thirty-two thousand, three hundred (32,300) nor more than thirty-two thousand, three hundred and fifty (32,350) inhabitants to appoint a stenographer upon application to the commissioners court for authority; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

PACE, Chairman.

Committee Room,

Austin, Texas, May 8, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

H. B. No. 187, A bill to be entitled "An Act to provide for creating Firemen's Relief and Pension Fund in the State of Texas and in all incorporated cities and towns thereof, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

RAWLINGS, Chairman.

Committee Room,

Austin, Texas, May 8, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to whom was referred

H. B. No. 49, A bill to be entitled "An Act to amend Article 2956, Revised Civil Statutes of 1925, as amended by Chapter 4 of the Acts

of the Regular Session of the Forty-third Legislature, relating to absentee voting at elections, to repeal all laws in conflict herewith to provide penalties for violation hereof, and to declare an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be not printed.

VAN ZANDT, Chairman.

Amend House Bill No. 49 by striking out everything after the enacting clause and substitute therefor the following:

Section 1. That Article 2956 of the Revised Civil Statutes of 1925, as amended by Chapter 4 of the Acts of the Forty Third Legislature of Texas, passed at its regular session, be, and the same is hereby amended so as hereafter to read as follows:

Article 2956. Absent Voting.

Subdivision 1. Any qualified elector of this State who through the nature of his business is absent from the County of his residence, or who because of sickness or physical disability cannot appear at the poll place in the election precinct of his residence, on the day of holding any general or special or primary election, may, nevertheless, cause his vote to be cast at such election in the precinct of his residence by compliance with one or other of the methods hereinafter provided for absent voting.

Subd. 2. Such elector shall make application for an official ballot to the county clerk in substantially the following form:

Application for Ballot to Be Voted.

At the _____ Election
On the _____ day of _____ A. D. 19____
The State of _____
County of _____

I, _____, hereby make application for an official ballot to be voted by me at the _____ election

(general or special)
to be held in Election Precinct No. _____
of _____ County,
Texas, on _____, and

(Date of election)

I do solemnly swear that I am a resident of said precinct, and have resided in the State of Texas for one year and in said County for six months next preceding such election; that I am a duly qualified elector en-

titled to vote at said election; and that I am _____, and

(Here state business)

because of the nature of my business expect to be absent from said County (or, because of my sickness or physical disability cannot appear at the polling place in said precinct) on the said day of election.

Date: _____

Residence: _____

Signed: _____

Postoffice Address: _____

Sworn to and subscribed before me this _____ day of _____, 19____,

(Official designation).

Such application shall be accompanied by the poll tax receipt or exemption certificate of the elector, or in lieu thereof, his affidavit in writing that same has been lost or mislaid.

If the ground of application be sickness or physical disability by reason of which the elector cannot appear at the polling place on election day, a certificate of a duly licensed physician certifying as to such sickness or physical disability shall accompany the application.

Subd. 3. At any time not more than fifteen days, nor less than three days prior to the date of such election, such elector making his personal appearance before the county clerk of the county of his residence at his office and delivering to such clerk his application and accompanying papers aforesaid, and paying the clerk a fee of twenty-four cents to cover postage, shall be entitled to receive from said clerk one official ballot which has been prepared in accordance with law for use in such election, which ballot shall then and there, in the office of said clerk at the court house of said county, and in the presence of said clerk and of no other person, be marked by the elector, but in such manner that said clerk cannot know how such ballot is marked, and such ballot shall then, in the presence of such clerk, be folded by the elector so as to conceal the marking, and same shall be by the elector, and in the presence of the clerk, deposited in a ballot envelope furnished by said clerk, which envelope shall bear upon the

face thereof the name, official title and postoffice address of such county clerk, and upon the other side a printed affidavit in substantially the following form:

The State of _____
County of _____

I, _____, do solemnly swear that I am a resident of Election Precinct No. _____ in _____ County, Texas, and lawfully entitled to vote at the election to be held in said precinct on the _____ day of _____, 19____; that I am _____;

(Here state business)
that my duties as such prevent my being in said County (or, that because of my sickness or physical disability I cannot appear at the polling place in said Precinct) on the day of such election; and that I marked the enclosed ballot in secret without assistance from any person and without consulting any memorandum of device indicating how I was to vote.

Sworn to and subscribed before me this _____ day of _____, A. D. 19____. And I hereby certify that the affiant exhibited the enclosed ballot to me unmarked; that he then in my presence and in the presence of no other person, and in such manner that I could not see his vote, marked such ballot and enclosed and sealed the same in this envelope; and that no assistance was given to the affiant in marking such ballot, nor did he mark the same with the aid of any memorandum or device indicating how he was to vote.

To certify which I have hereto set my hand and seal of office on the day and year last above written.

(Official designation)

Subd. 4. At any time not more than twenty, nor less than three days prior to the date of such election, such elector making his personal appearance before any officer (other than said county clerk), who is qualified under Article 6602, Revised Civil Statutes of Texas, to take the acknowledgment to an instrument of writing for record within this State, and executing before him the application for ballot provided in subdivision 3 hereof and delivering to him the other papers therein

required, together with twenty-four cents to cover postage shall be entitled to have his ballot cast at such election on compliance with the following provisions:

The application and accompanying papers, including twenty-four cents to cover postage, shall be mailed by such officer, postage prepaid, to the county clerk of the elector's residence, whose duty it shall be forthwith to mail to such officer a blank official ballot and ballot envelope, as prescribed in subdivision 3, which ballot shall be marked by the elector in the presence of such officer and in the presence of no other person, and in such manner that such officer cannot know how the ballot is marked, and such ballot shall then, in the presence of such officer, be folded by the elector, deposited in said envelope, the envelope securely sealed, the endorsement filled out, signed and sworn to by the elector and certified by such officer, and then mailed by said officer, postage prepaid, to the county clerk.

Subd. 5. If the county clerk or officer who is charged with delivery of the ballot to the elector does not personally know such elector, he shall withhold such ballot unless the elector be identified by written affidavit of two or more reputable persons, which affidavit shall accompany and be returned with the application and other papers.

Subd. 6. Upon receipt of any such ballot sealed in its ballot envelope duly endorsed, the clerk shall keep the same unopened until the second day prior to such election, and shall then enclose same, together with the elector's application and accompanying papers, in a larger or carrier envelope which shall be securely sealed and endorsed with the name and official title of such clerk, and the words "This envelope contains an absent ballot, and must be opened only at the polls on election day," and the clerk shall forthwith mail same, or deliver it in person, to the presiding judge of election, or to any assistant judge of election, in said precinct.

Any ballots mailed out by the county clerk within the legal time, but not received back by him on or before the third day prior to the election, shall not be voted, but shall remain in the custody of the county

clerk during the thirty day period provided in subdivision 7.

Subd. 7. On the day of such election, and in the presence of the election officers, and the supervisors, if any, one of the judges of election shall, between the hours of 2:00 and 3:00 o'clock open the carrier envelope only, announce the elector's name, and compare the signature upon the application with the signature upon the affidavit on the ballot envelope. In case the election board find the affidavits duly executed, that the signatures correspond, that the applicant is a duly qualified elector of the precinct, and that he has not voted in person at said election, they shall open the envelope containing the elector's ballot in such manner as not to deface or destroy the affidavit thereon, take out the ballot therein contained without permitting same to be unfolded or examined, and having endorsed the ballot in like manner as other ballots are required to be endorsed, deposit the same in the proper ballot box and enter the elector's name in the poll list the same as if he had been present and voted in person. If the ballot be challenged by any election officer, supervisor, party challenger or other person, the grounds of challenge shall be heard and decided according to law, including the consideration of any affidavits submitted in support of or against such challenge. If the ballot be admitted, the words "Absent voter" shall be set down opposite the elector's name on the poll list. If the ballot be not admitted, there shall be endorsed on the back thereof the word "Rejected," and all rejected ballots shall be enclosed, securely sealed, in an envelope on which the words "Rejected Absentee Ballots" have been written, together with a statement of the precinct and the date of election, signed by the judges and clerks of election and returned in the same manner as provided for the return and preservation of official ballots voted at such election. In all cases the application, poll tax receipt of exemption certificate, ballot envelope and the affidavits and certificates accompanying same shall be re-returned by the officers of election to the county clerk which shall keep all such papers except poll tax receipts and exemption certificates

for one year and shall return poll tax receipts and exemption certificates to the voter at any time after the same have been returned to him except in case of challenge when such poll tax receipts and exemption certificates shall be held for thirty days and as much longer thereafter as any court or reviewing authority may direct.

Subd. 8. Whenever it shall be made to appear to the officers of election that any elector whose ballot has been marked and forwarded as hereinbefore provided, has since died, then the ballot of such deceased voter shall not be deposited in the ballot box, but shall be returned as in case of other rejected ballots; provided, however, the casting of the ballot of a deceased voter shall not invalidate the election.

Subd. 9. The county clerk shall post at a conspicuous place in his office, for public inspection, a complete list of those to whom ballots have been delivered or sent out under this Article, stating thereon the elector's name, age, occupation, precinct of residence and poll tax, number of exemption certificate number, and the date on which ballot was delivered or mailed which list shall be kept up from day to day. The applications, poll tax receipts, exemption certificates or affidavits of loss thereof, shall also be open to public inspection at regular office hours, but under such reasonable rules and regulations as the county clerk may adopt to safe guard the same and to reasonably economize his own time while they are in his keeping.

Subd. 10. Any of the duties by this Article committed to the county clerk may be performed at the county clerk's office by one or more deputies specially designated in writing by the county clerk to act in connection with the election stated in the appointment.

Subd. 11. The county clerks, their deputies and officers acting under this Article shall be considered as judges or officers of election within the scope of Articles 215 to 231, inclusive, of the Penal Code of Texas, and all amendments, thereto, and be punishable as in said Articles, respectively, provided in the case of judges or officers of election.

Sec. 2. That all laws and parts of

laws in conflict with this Act be, and they are hereby repealed.

Sec. 3. The fact that absent voting in many of the counties of Texas under existing laws has become a public scandal and that such laws are easily capable of evasion and abuse and have permitted the perpetration of gross frauds upon the electorate, together with the crowded condition of the calendar creates an emergency and an imperative public necessity requiring that the constitutional rule that bills be read on three several days in each House, be, and the same is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, May 8, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 914, A bill to be entitled "An Act to create the San Jacinto River Conservation and Reclamation District under the authority of Section 59, of Article 16, of the Constitution of Texas, and defining the powers and duties of the said District, etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

PACE, Chairman.

Committee Room,

Austin, Texas, May 8, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 534, A bill to be entitled "An Act permitting trustees of independent school districts in certain counties to issue time warrants for the purpose of taking up, refunding and extending indebtedness incurred for the legal maintenance of schools in said districts up to June 1, 1935; providing for the amount and maturity of such warrants and interest thereon and for the mode of payment, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

DUGGAN, Chairman.

Committee Room,

Austin, Texas, May 8, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 709, A bill to be entitled "An Act to fix the salaries and compensations of county commissioners in counties with a population of not less than seventeen thousand (17,000) and not more than seventeen thousand, one hundred (17,100) population according to the last Federal census, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation it do pass and be not printed.

PACE, Chairman.

Committee Room,

Austin, Texas, May 8, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 893, A bill to be entitled "An Act to amend Chapter 1, Title 61, Revised Civil Statutes of 1925, providing for the appointment of deputy district clerks in any county having a population of more than one hundred and thirty-two thousand (132,000) and less than one hundred and fifty thousand (150,000) inhabitants, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

PACE, Chairman.

Committee Room,

Austin, Texas, May 8, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 922, A bill to be entitled "An Act to better secure the public revenues by providing that the tax liens provided by the Constitution and Statutes of the State to secure ad valorem taxes on oil, gas or other minerals in place, or upon any lease-

hold interest therein and/or on any personal property or equipment used in connection therewith, shall, after taxes thereon become delinquent, attach and extend to all wells, personal property and equipment located on said lands, as well as the minerals in place, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

PACE, Chairman.

Committee Room,

Austin, Texas, May 8, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 945, A bill to be entitled "An Act granting to John W. Goodrum of Guadalupe County, Texas, the right or permission to bring suit against the State of Texas and the State Highway Department, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

PACE, Chairman.

Committee Room,

Austin, Texas, May 8, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 889, A bill to be entitled "An Act to fix the salaries and compensation of county commissioners in counties with a population of not less than thirteen thousand, six hundred and thirty-six (13,636) inhabitants nor more than thirteen thousand, six hundred and fifty (13,650) inhabitants, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

PACE, Chairman.

Committee Room,

Austin, Texas, May 8, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 970, A bill to be entitled "An Act to fix the salaries and compensation of county commissioners in counties with a population of not less than twelve thousand, two hundred and twenty (12,220) nor more than twelve thousand two hundred and thirty-five (12,235) and in counties having a population of not less than twenty-two thousand, six hundred and forty-two (22,642) nor more than twenty-two thousand, seven hundred and ninety-five (22,795), etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

PACE, Chairman.

Committee Room,

Austin, Texas, May 8, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 229, A bill to be entitled "An Act to fix the salaries and compensation of county commissioners in counties with a population of not less than six thousand eight hundred (6,800) nor more than six thousand, nine hundred (6,900), etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

PACE, Chairman.

Committee Room,

Austin, Texas, May 8, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. C. R. No. 48, A concurrent resolution "Granting Jos. V. Frnka permission to bring suit against the State of Texas."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

PACE, Chairman.

Committee Room,

Austin, Texas, May 8, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State

Affairs, to whom was referred H. C. R. No. 101,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

PACE, Chairman.

Committee Room,

Austin, Texas, May 8, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. C. R. No. 82,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

PACE, Chairman.

Committee Room,

Austin, Texas, May 8, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. C. R. No. 88, A concurrent resolution "Granting Mrs. Mary M. Wise permission to sue the State of Texas and the State Department of Labor."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

PACE, Chairman.

Committee Room,

Austin, Texas, May 8, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. C. R. No. 89,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

PACE, Chairman.

Committee Room,

Austin, Texas, May 8, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 519, A bill to be entitled "An Act authorizing commissioners' courts to purchase out of the general fund half ton trucks to be used by the respective commissioners in

the discharge of their duties and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

PACE, Chairman.

Committee Room,

Austin, Texas, May 8, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 504, A bill to be entitled "An Act providing for the appointment of a juvenile officer and assistant juvenile officers in counties having a population of more than two hundred and fifty thousand (250,000) inhabitants, fixing their duties and salaries, and term of office, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

PACE, Chairman.

Committee Room,

Austin, Texas, May 8, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 269, A bill to be entitled "An Act to fix the salaries of county commissioners in counties with a population of not less than forty-eight thousand, five hundred (48,500) and not more than forty-nine thousand (49,000), etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

PACE, Chairman.

Committee Room,

Austin, Texas, May 8, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 301, A bill to be entitled "An Act to amend 7252 of the Revised Civil Statutes of Texas, Revision of 1925, and to repeal Ar-

ticle 7181 and 7182 of said Revised Statutes, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

PACE, Chairman.

Committee Room,

Austin, Texas, May 8, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 302, A bill to be entitled "An Act to amend Article 2726 of the Revised Civil Statutes of Texas, Revision of 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

PACE, Chairman.

Committee Room,

Austin, Texas, May 8, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 516, A bill to be entitled "An Act to fix the salaries and compensation of county commissioners in counties with a population of not less than twelve thousand, five hundred and twenty-two (12,522) and not more than twelve thousand, five hundred and twenty-five (12,525), etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

PACE, Chairman.

Committee Room,

Austin, Texas, May 8, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 443, A bill to be entitled "An Act to fix the salary and compensation of county commissioners in counties with a population of not less than seventy-seven thousand, five hundred (77,500) nor more than seventy-seven thousand, seven hundred and seventy-six (77,776), etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

PACE, Chairman.

Committee Room,

Austin, Texas, May 8, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 561, A bill to be entitled "An Act fixing the salaries to be paid out of certain funds to County Commissioners in counties having a population of not less than thirty-eight thousand, seven hundred and sixty-five (38,765) and not more than thirty-eight thousand, seven hundred and ninety (38,790) inhabitants, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation it do pass and be not printed.

PACE, Chairman.

Committee Room,

Austin, Texas, May 8, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 575, A bill to be entitled "An Act fixing the compensation of County Commissioners in every county having a population of not less than twenty-seven thousand, two hundred and forty (27,240) nor more than twenty-seven thousand, two hundred and fifty (27,250) inhabitants, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation it do pass and be not printed.

PACE, Chairman.

Committee Room,

Austin, Texas, May 7, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 985, A bill to be entitled "An Act fixing the fees and salary of the Official Shorthand Reporter of the County Court of Jefferson

County at Law, Jefferson County, Texas, and providing the manner of payment, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SMALL, Chairman.

Committee Room,

Austin, Texas, May 8, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 814, A bill to be entitled "An Act for the purpose of regulating the use of nets and other fishing devices in the certain waters of Nueces, Aransas, and Refugio Counties; providing that no law shall be repealed except in so far as they affect Nueces, Aransas and Refugio Counties, and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SHIVERS, Chairman.

Committee Room,

Austin, Texas, May 8, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred H. B. No. 896,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

SANDERFORD, Chairman.

Committee Room,

Austin, Texas, May 8, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

H. B. No. 157, A bill to be entitled "An Act to provide that constables shall be responsible for the official acts of their deputies, empowering constables to require bond and security of their deputies, providing remedies in favor of constables against their deputies and sureties, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

STONE, Chairman.

Committee Room,

Austin, Texas, May 8, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 455, A bill to be entitled "An Act amending Article 6032, Revised Civil Statutes of 1925, as amended by Section 22, Chapter 26, Acts First Called Session, Forty-second Legislature; amending Section 11, Chapter 162, Acts Regular Session, Forty-third Legislature; and amending Chapter 43, House Bill No. 43, Acts of the Second Called Session of the 43rd Legislature, 1934; appropriating the proceeds of the tax derived under the provisions hereof; authorizing the Railroad Commission to employ such help and to incur such other expenses as are necessary to enforce the conservation laws of this State relating to oil and gas and the orders of the Railroad Commission promulgated pursuant thereto; amending the appropriation for the Oil and Gas Division of the Railroad Commission as contained in H. B. No. 167, Chapter 166, Acts Regular Session, Forty-third Legislature, at pages 497-8, providing for the employment by the Commission of a suitable person or persons to perform the services set forth in Article 6005, Revised Civil Statutes of 1925; providing salaries and levying a permit fee not to exceed twenty-five (\$25.00) dollars; providing if any person whose salary is paid out of the funds herein provided for, uses his time or a State-owned automobile for campaign purposes he shall be discharged and subject to fine and imprisonment; providing that if any portion of this Act be held unconstitutional or invalid for any reason such decision shall not affect the remaining portions, sections or paragraphs of this Act; and declaring an emergency."

Have had the same under consideration, and I am instructed to report

the same back to the Senate with the recommendation that it do not pass, but that Senate committee substitute bill attached hereto do pass in lieu thereof, and that same be not printed.

REDDITT, Chairman.

C. S., S. B. No. 455.

A BILL
To Be Entitled

An Act amending Article 6032, Revised Civil Statutes of 1925, as amended by Section 22, Chapter 26, Acts First Called Session, Forty-second Legislature; amending Section 11, Chapter 162, Acts Regular Session Forty-third Legislature; amending H. B. 89 under certain conditions, and amending Chapter 43, House Bill No. 43, Acts of the Second Called Session of the Forty-third Legislature, 1934; appropriating the proceeds of the tax derived under the provisions hereof; authorizing certain Departments of State Government to employ such help and to incur such other expenses as are necessary to enforce the conservation laws of this State relating to Oil and Gas and the orders of the Railroad Commission promulgated pursuant thereto; amending the appropriation for certain Departments of State Government as contained in House Bill No. 167, Chapter 166, Acts Regular Session, Forty-third Legislature, at pages 497-8, providing for the employment by the Railroad Commission of a suitable person or persons to perform the services set forth in Article 6005, Revised Civil Statutes of 1925; providing salaries and levying a permit fee not to exceed Twenty-five (\$25.00) Dollars; providing if any person whose salary is paid out of the funds herein provided for, uses his time or a state owned automobile for campaign purposes he shall be discharged and subject to fine and imprisonment; and providing for hearings and appeals; providing that if any portion of this Act be held unconstitutional or invalid for any reason such decision shall not affect the remaining portions, sections or paragraphs of this Act; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. Article 6032, Title 102, Revised Civil Statutes of 1925, as amended by Section 22, Chapter 26, Acts Forty-second Legislature, First Called Session, is hereby amended so that the same shall hereafter read as follows:

"Article 6032. There is hereby levied a tax of three-sixteenths (3/16) of one cent per barrel of forty-two (42) standard gallons of crude petroleum produced within this State, which shall be in addition to and collected in the same manner as the present gross receipts production tax on crude petroleum. Producers of crude petroleum are hereby required to make reports of production in the same manner and under the same penalties as for the gross production tax. The tax thus collected shall be paid into the State Treasury and held in a Special Fund to be known as the Oil & Gas Enforcement Fund, and shall be paid out on warrants as other funds. The funds derived from this tax shall, so far as hereinafter provided, be used for the administration of the conservation laws of this State relating to oil and gas.

Sec. 2. The Railroad Commission is hereby directed to collect a fee of Twenty-five (\$25.00) Dollars as a permit or permit hearing fee on each application to drill or deepen an oil or gas well. This fee shall be uniform and apply to all wells regardless of their depth. The fee shall be to each well for which a permit is sought. The funds thus collected shall be paid into the State Treasury as provided in Section 1 hereof, and shall be paid out on warrants as other funds. The funds thus derived from these fees shall, so far as hereinafter provided, be used for the administration of the conservation and labor laws of this state relating to oil and gas, and any balances from the income derived from these fees remaining at the end of any fiscal year shall be annually transferred into the General Revenue Fund.

Sec. 3. Section 11, Chapter 162, Acts Regular Session, Forty-third Legislature, is hereby amended so as to hereafter read as follows:

"Sec. 11. The provisions made in Chapter 162, Acts Regular Session, Forty-third Legislature, providing for the collection of the gross production tax on oil and reports required in connection with the collection of such tax, shall apply to the collection of taxes levied under the provisions of Section 1 of this Act, and if any person, firm or corporation should fail to pay the tax herein provided for, or should fail to make the reports required in such Act or should make erroneous reports as provided in said Act, such person, firm or corporation shall be subject to the fines and penalties as provided in Section 8, Chapter 162, Acts Regular Session of the Forty-third Legislature. Provided, however, that if House Bill No. 89, pending in the Senate at the present session of the Legislature, which amends said Chapter 162, Acts Regular Session Forty-third Legislature, becomes a law, then the provisions of said House Bill No. 89 with reference to the collection of the gross production tax on oil and reports required in connection therewith, shall apply to collection of the gross production tax herein imposed."

Sec. 4. That the sum of Fourteen Thousand Three Hundred Sixty and no/100 (\$14,360.00) Dollars collected from the tax provided for by Section 1 of this Act shall be placed in a separate fund within the fund provided for by Section 1 hereof for the use by the Attorney General of Texas in the enforcement of the oil and gas conservation laws of Texas, for the balance of the fiscal year ending August 31, 1935, and the following sums of money be and the same are hereby appropriated out of said special fund to cover emergencies and supplementary appropriations for the Attorney General's Department for the balance of the fiscal year ending August 31, 1935, which appropriation shall be available immediately and shall be for the emergencies herein stated and in addition to the appropriations which may have been heretofore made to the Attorney General's Department:

ATTORNEY GENERAL'S DEPARTMENT.

	Year Ending August 31, 1935.
To Pay Salaries, six (6) Assistants Attorney General, none exceeding \$3,600.00 per year	\$ 5,400.00
For Law Enforcement, Traveling Expenses and Contingent Fund	3,000.00
To Pay Salaries, Five (5) Stenographers, none exceeding \$110.00 per month	1,650.00
To Pay Salaries, Three (3) File Clerks, none exceeding \$90.00 per month	810.00
Books & Furniture	3,500.00
Total	\$ 14,360.00

Sec. 5. It is hereby expressly declared to be the intent of the Legislature that salaries and other expenses incurred against the funds appropriated to the Oil & Gas Division of the Railroad Commission of Texas by the General Appropriation Act of the Forty-third and Forty-fourth Legislatures, shall, after the effective date of this Act, be paid out of the funds derived from the tax levied by this Article, and none of said appropriations shall ever hereafter be paid out of the General Revenue Fund. In the event that there is an excess derived from the tax over and above the amount of money appropriated to the Oil & Gas Division of the Railroad Commission of Texas, and/or the Attorney General's Department, and/or the Department of Labor Statistics of the State, same shall revert to and be transferred into the General Revenue Fund of the State.

Sec. 6. The Railroad Commission of Texas is hereby authorized and directed in addition to the number of employees at the salaries and the expenses fixed by the General Appropriation Act of the Regular Session of the Forty-third Legislature for the Oil & Gas Division of said Commission to expend such sums to employ such gaugers, inspectors, investigators,

supervisors and clerical help, including three employees who shall be Chief Engineer, Chief Petroleum Engineer and Administrative Chief, who shall be paid a salary not to exceed Three Thousand Seven Hundred Fifty (\$3,750.00) Dollars per annum each, and the sum of Twenty-eight Hundred Twelve and 50/100 (\$2,812.50) Dollars, or so much thereof as is necessary, is hereby appropriated to pay such salaries out of the Oil & Gas Enforcement Fund hereinbefore established.

Sec. 7. That the sum of Thirty-nine Thousand Nine Hundred Forty (\$39,940.00) Dollars collected from the tax provided for in Section 1 of this Act for the use of the Railroad Commission of Texas in the enforcement of the Oil & Gas Conservation Laws of Texas, is hereby appropriated for the support and maintenance of the Railroad Commission of Texas in the enforcement of the Oil & Gas Conservation Laws of Texas to cover emergencies and supplementary appropriations for the Railroad Commission of Texas for the balance of the fiscal year ending August 31, 1935, which appropriation shall be available immediately and shall be for the emergencies herein stated and in addition to the appropriations which may have been heretofore made to the Railroad Commission's Department:

RAILROAD COMMISSION OF TEXAS.

	Year Ending August 31, 1935.
To Pay Salaries:	
Executive Section.	
Director Production, Accounting & Oil Statistics, \$4000.00 per year	\$ 1,000.00
Chief Clerk & Statistician \$3,000.00 per year	750.00
Secretary to Director, Custodian of Records & Files, \$1800.00 per year	450.00
Statistical Clerk, \$1800.00 per year	450.00
Porter, \$600.00 per year	150.00
Statistical Section.	
Chief Statistician & Rate Expert, \$3,600.00 per year	900.00
Junior Statisticians, two (2), none exceeding \$2,400.00 per year	1,200.00
Statistical Clerks, three (3), none exceeding \$1,800.00 per year	1,350.00
Accounting Section.	
Chief Supervising Accountant, \$3,600.00 per year	900.00
Senior Accountants, three (3), none exceeding \$3000.00 per year	2,250.00
Junior Accountants, five (5), none exceeding \$2,400.00 per year	3,000.00
Statistical Clerks, five (5), none exceeding \$1,800.00 per year	2,250.00
Valuation and Engineering Section.	
Chief Valuation Engineer \$3,600.00 per year	900.00
Senior Engineers, Three (3), none exceeding \$3,000.00 per year	2,250.00
Junior Engineers, Four (4), none exceeding \$2,400.00 per year	2,400.00
Statistical Clerk, \$1800.00 per year	450.00
Stenographers, three (3), none exceeding \$1,320.00 per year	990.00
General Office Section.	
Chief Petroleum Accountant \$3,600.00 per year	900.00
Production Accountant, \$3000.00 per year	750.00

Pipe Line & Refinery Accountant, \$3000.00 per year	750.00
Tender Supervisor, \$3,600.00 per year	900.00
Senior Accountant, \$3000.00 per year	750.00
Junior Accountants, four (4), none exceeding \$2,400.00 per year	2,400.00
Statistical Clerks, four (4), none exceeding \$1800.00 per year	1,800.00
Stenographers, four (4), none exceeding \$1,320.00 per year	1,320.00

Ten District Field Offices.

Statistical Clerks, six (6), none exceeding \$1800.00 per year	2,700.00
Stenographers, ten (10), none exceeding \$1,320.00 per year	3,300.00

Common Carrier Oil Pipe Line Rate Section.

Chief Examiner, \$3,600.00 per annum	900.00
Assistant Examiners, Two (2), none exceeding \$3,000.00 per year	1,500.00
Stenographer, \$1320.00 per year	330.00

Total\$ 39,940.00

Sec. 8. There is hereby appropriated out of the funds accruing from the Oil & Gas Enforcement Fund hereinbefore provided the amount of Three Thousand One Hundred Fifty (\$3,150.00) Dollars for the purpose of paying salaries of Deputy Commissioners of Labor Statistics to enforce labor laws in the oil and gas fields. The following specific amounts are hereby appropriated for the balance of the fiscal year ending August 31, 1935, which appropriation shall be available immediately and shall be for the emergencies herein stated and in addition to the appropriations which may have been heretofore made to the Labor Statistics Department:

LABOR STATISTICS DEPARTMENT.

	Year Ending August 31, 1935.
Deputies, four (4) at \$1,518.00 per annum	\$ 1,518.00
Stenographers, one (1) at \$1,200.00	300.00
Traveling expenses	1,000.00
Equipment, stationery, postage, supplies, contingent expense	332.00
Total	\$ 3,150.00

Sec. 9. The amounts appropriated herein to pay salaries to the Railroad Commission, the Attorney General's Department and the Department of Labor Statistics shall not exceed the maximum amounts fixed by this Act, and in no event to exceed the maximum amount fixed for the respective or similar positions by the General Appropriation Bills for said respective Departments of the State Government.

Sec. 10. The Commission is hereby expressly authorized and directed to designate some suitable person or persons to perform the services set forth in Article 6005, Title 102, Revised Civil Statutes of 1925, and permit such person or persons so designated to collect from the owner or operator of such wells or the owner of the land compensation for the services so performed and such person or persons so designated shall perform or cause such services to be performed under the rules and regulations of the Commission.

Sec. 11. If any person whose salary is paid out of the funds herein provided for, uses his time or a state owned automobile for campaign purposes, or for the purpose of furthering the candidacy of his employer or any other candidate for State office, he shall be deemed guilty of a misdemeanor and upon conviction be fined not less than One Hundred (\$100.00) Dollars and not more than Five Hundred (\$500.00) Dollars and shall be confined in jail for not less than thirty nor more than ninety

(90) days, and shall be discharged at once, and shall be rendered ineligible for future employment by any State Department. And in event any citizen of this State shall file a civil complaint with any District Court in Travis County, Texas, charging any such employee with any such use of his time or state owned automobile, such court shall set such complaint for hearing on some date not more than twenty (20) or less than ten (10) days after the date of the filing of such complaint, and shall cause notice to be served on such employee for at least five (5) days prior to the date of such hearing, and if, upon such hearing, such court shall determine that such employee has used his time and/or a state owned automobile as charged in the complaint said Court shall certify such fact to the Department employing such person and order his immediate discharge. Any person against whom such charges shall have been filed shall have the right of appeal to the Court of Civil Appeals, but the pendency of such appeal shall in no wise suspend his discharge.

Sec. 12. Any surplus remaining in the Oil & Gas Enforcement Fund at the end of each fiscal year shall be transferred into and become a part of the General Revenue Fund of this State.

Sec. 13. If any section, subsection, sentence, clause, or phrase of this Act is held, for any reason, to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act. The Legislature hereby declares that it would have passed this Act, and each section, subsection, sentence and clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Sec. 14. The fact that the Forty-third Legislature, at its Regular Session inadvertently failed to appropriate the proceeds of this tax to the Enforcement of the Conservation Laws of this State, when the tax was in fact originally levied for the enforcement of such laws, and the fact that the Enforcing Departments of this State do not have sufficient employees to adequately enforce the conservation laws of this State with reference to oil and gas, creates an emergency and an imperative necessity that the Constitutional Rule requiring bills to be read on three several days in each House be and the same is hereby suspended, and this Act shall take effect and be in force from and after the first day of June, A. D. 1935, and it is so enacted.

Minutes of Committee Meeting.

Minutes of Committee on Educational Affairs, Held

May 6, 1935.

Called Meeting.

Present: Duggan, DeBerry, Burns, Cotten, Hornsby, Isbell, Pace, Poage, and Small.

Absent: Hopkins, Neal, Regan, and Woodruff.

H. B. No. 833 was reported favorably by viva voce vote.

H. B. No. 27 was reported adversely by the following vote:

Yeas: Burns, Hornsby, Pace, Small, Duggan.

Nays: DeBerry, Cotten, Isbell, Poage.

JUANITA WILES, Secretary.

FIFTY-EIGHTH DAY.

(Continued.)

Senate Chamber,

Austin, Texas,

May 9, 1935.

The Senate met at 10 o'clock a.

m. pursuant to recess and was called to order by Lieutenant Governor Walter F. Woodul.

House Bill No. 914.

Motion to Reconsider.

Senator Moore moved to reconsider the vote by which H. B. No. 914 finally passed.

The motion prevailed by viva voce vote.

House Bill No. 736.

Pending business was H. B. No. 736.

Committee Amendments Nos. 1, 2, 3, 4, 5, 6, 7, 8 and 9 were adopted by viva voce vote.

Senator Hill sent up the following amendments:

Amend Committee Amendment No. 10, page 22, line 39, by adding this Section:

"No female person shall be employed to sell, handle or dispense,